

## Explanation of Form

### *Form Instructions:*

- Item 1: The amount of the Deed-of-Trust Note, which usually equals the total of the base, exceptions and demolition contracts.
- Item 2: Unless a Finance Charge is enumerated in the CDBG Housing Program Design or the IPR Project Management Plan, there is no charge.
- Item 3: Item 1 + Item 2 = Item 3.
- Item 4: Unless a Percentage Rate is enumerated in the CDBG Housing Program Design or the IPR Project Management Plan, the percentage rate is zero.
- Item 5: The amounts to be inserted are taken from the Loan Repayment Worksheet.
- Item 6: The payment due date can be changed if another date is specified in the loan servicing section of the CDBG Housing Program Design or the IPR Project Management Plan.
- Item 7: Self-explanatory.
- Item 8: The closing costs can be customized as specified in the loan servicing section of the CDBG Housing Program Design or the IPR Project Management Plan. The Deed-of-Trust and Deed-of-Trust Note language **must** be consistent with the statement.
- Items 9-10: The Deed-of-Trust and Deed-of-Trust Note language regarding late and deferred (missed) payments **must** be consistent with the statement.
- Item 11: Self-explanatory.
- Item 12: See DHCD's policy memo, dated October 2, 2006, for additional information regarding DHCD's Occupancy and Security of Public Investment requirements.
- Item 13: If an amount is specified in the construction contract, it cannot be greater than the amount listed in Item 3. If desired, a clause can also be added regarding VDH's required annual septic maintenance agreement.
- Item 14: Self-explanatory.
- Item 15: Insert the anticipated date the Deed-of-Trust will be recorded. Make sure to take into account the Right-to-Cancel period.

# Truth-in-Lending Disclosure Statement

Borrower: \_\_\_\_\_

Lender: \_\_\_\_\_

(Subrecipient's Name)

(Subrecipient's Address)

1. Amount Financed (the amount of credit provided to you or on your behalf) \$ \_\_\_\_\_
2. FINANCE CHARGE (the total dollar amount your credit will cost you): \$ \_\_\_\_\_
3. Total of Payments (amount you will have paid after you have made all scheduled payments) \$ \_\_\_\_\_
4. ANNUAL PERCENTAGE RATE (the cost of your credit as a yearly rate) \$ \_\_\_\_\_
5. The loan is to be repaid in 120 equal consecutive monthly installments. Each monthly statement of Ability-to-Pay \$ \_\_\_\_\_ and Forgiven \$ \_\_\_\_\_ shall be in the amount of \$ \_\_\_\_\_
6. Payment of monthly installments shall begin on the 1st day of \_\_\_\_\_, 20\_\_\_\_, and thereafter on the 1st day of each and every month until the loan is repaid in full.
7. THE FINANCE CHARGE BEGINS TO ACCRUE ON \_\_\_\_/\_\_\_\_/\_\_\_\_ (the date)
8. The following must be paid at closing:  
Recording cost (Estimate) \$ \_\_\_\_\_  
Other \$ \_\_\_\_\_
9. **Late Payments.** If a payment is late, the following selected option(s) will be applicable:  
a. You will be charged \_\_\_\_\_ percent (\_\_\_\_ %) of the payment.  
b. You will be charged a \$ \_\_\_\_\_ late fee.  
c. All amounts secured by the Deed of Trust Note may become due and payable immediately.
10. **Deferred Payments.** If your payment is due but is not paid in a given month, both the payment and forgiven amounts will be added onto the end of the loan period, adjusting the maturity date. If your loan is in default, all amounts secured by the Deed of Trust may become due and payable immediately.
11. **Prepayment Provisions.** If you pay off early, you will have to pay off the entire outstanding amount of the loan, including the forgiven amount. You will not have to pay a penalty and you will not be entitled to a refund of part of any finance charges.
12. **Assumption.** A low-to-moderate income heir may, with the approval of the lender, be allowed to assume the remainder of the loan on the original terms.
13. **Insurance.** Property insurance is required for the entire duration of the loan. You may obtain property insurance from anyone you want that is acceptable to the Lender. The Lender must be listed as a loss payee.
14. **Additional Information.** See your contract documents for additional information about insurance, security interests, nonpayment, default, and any required repayment in full before the scheduled date and prepayment refunds and penalties.
15. **Security interest.** This loan will be secured by a Deed of Trust on \_\_\_\_/\_\_\_\_/\_\_\_\_ for the Property at \_\_\_\_\_.

**I acknowledge receipt of a copy of the foregoing Truth-in-Lending Disclosure Statement**

\_\_\_\_\_  
Signature of Borrower

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Borrower

\_\_\_\_\_  
Date

**ACKNOWLEDGEMENT OF RECEIPT OF  
ECOA NOTICES AND DISCLOSURES**

TO: *(Name of Grantee)*

I (We) acknowledge receipt of the notices and warnings contained herein:

1. Notice: The Federal Equal Credit Opportunity Act prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, age (provided that the applicant has the capacity to enter into a binding contract), sex or marital status, the fact that all or part of the applicant's income is derived from a public assistance program, or the fact that the applicant has in good faith exercised any right under the consumer Credit Protection Act. The federal agency which administers compliance with this act is the Federal Trade Commission, Equal Credit Opportunity, Gelman Building, 2120 L Street, N. W., Washington, D. C. 20037. The Consumer Response Center can be reached at (877)-382-4357.
2. Warning: No person may be required to designate a courtesy title, such as Mr., Ms., Mrs., or Miss.
3. Notice: When applying for a loan, you may use your birth given name, first and surname or a birth given name, first and surname or a birth given first name and a combined surname.
4. The federal government has requested that information regarding race, national origin, sex, marital status and age of applicants for home loans be gathered in order to monitor compliance with federal anti-discrimination statutes which prohibit creditors from discriminating against applicants on these bases. The law provides that a lender may neither discriminate on the basis of this information nor on whether or not it is furnished. Furnishing this information is optional.
5. Notice: The Federal Equal Credit Opportunity Act allows the creation of special purpose credit programs for economically disadvantaged persons. If all of the participants share one or more characteristics that are protected classifications, then information as to that characteristic may be requested.

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Applicant's Signature

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Date

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Applicant's Signature

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Date

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**REHAB FILE CHECKLIST**

CDBG\_\_\_\_\_ IPR\_\_\_\_\_

Homeowner:\_\_\_\_\_ Occupant:\_\_\_\_\_

Street

Address:\_\_\_\_\_ File#:\_\_\_\_\_

1. Application for Assistance/Ranking Sheet \_\_\_\_\_
2. Financial Information
  - a. Verification of Income \_\_\_\_\_
  - b. HUD Household Income Report \_\_\_\_\_
  - c. Current Section 8 Income Limits \_\_\_\_\_
  - d. Verification of Assets \_\_\_\_\_
  - e. Verification of Rent (CDBG only) \_\_\_\_\_
  - f. Ability-to-pay Form \_\_\_\_\_
  - g. Loan Repayment Calculation Form \_\_\_\_\_
3. Verification of Ownership of Property ((after 10/1/2012)
  - a. Deed Showing Ownership of Land and House OR \_\_\_\_\_
  - b. Mobile Home DMV Title \_\_\_\_\_
  - c. Proof of Mobile Home Demolition or Salvage (SR only) \_\_\_\_\_
4. Historic Resources Clearance/Statutory Checklist (IPR only) \_\_\_\_\_
5. DHCD HQS/Section 8 Inspection Reports
  - a. Before Construction Date\_\_\_\_\_ By whom? \_\_\_\_\_ PA \_\_\_\_\_  
 Date\_\_\_\_\_ By whom? \_\_\_\_\_ RS \_\_\_\_\_
  - b. After Construction Date\_\_\_\_\_ By whom? \_\_\_\_\_ PA \_\_\_\_\_  
 Date\_\_\_\_\_ By whom? \_\_\_\_\_ RS \_\_\_\_\_
6. Blower Door Test
  - a. Before Construction Date\_\_\_\_\_ \_\_\_\_\_
  - b. After Construction Date\_\_\_\_\_ \_\_\_\_\_
7. Inspection/Treatment Reports
  - a. Exterminator \_\_\_\_\_
  - b. Electrical \_\_\_\_\_
  - c. Chimney \_\_\_\_\_
  - d. Rehab Specialist Inspection & Payment Reports \_\_\_\_\_
8. Write-up and Cost Estimates. \_\_\_\_\_

- a. Base Amount \$ \_\_\_\_\_
  - b. Exceptions \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_
  - c. Demolition \$ \_\_\_\_\_
- 9. Bid Tabulation Sheet and Contract Award Recommendation \_\_\_\_\_
  - a. Accepted Bid \_\_\_\_\_
  - b. Bid Approval Date \_\_\_\_\_ Low Bid Amount \$ \_\_\_\_\_
- 10. Temporary Relocation Agreement and documentation \_\_\_\_\_
- 11. IPR Set-up form (IPR only) \_\_\_\_\_
  - a. Project Cost Worksheet—set-up amount \$ \_\_\_\_\_
  - b. Certification of IPR Eligibility (after 11/5/2007) \_\_\_\_\_
  - c. IPR Completion Report \_\_\_\_\_
- 12. Construction Contract: Amount \$ \_\_\_\_\_
  - a. 3-Party: Owner/Grantee/Contractor **OR** \_\_\_\_\_
  - b. 2-Party: Owner or Grantee/Contractor and Contractor/Grantee \_\_\_\_\_
  - c. Attached Federal Construction Contract Language \_\_\_\_\_
  - d. Notice of the Presumption of Lead \_\_\_\_\_
  - e. Confirmation of Receipt of LBP pamphlet (pre-1978 construction only)  
*Protect Your Family from Lead* (before 11/30/08) \_\_\_\_\_  
*Renovate Right* (after 12/01/08) \_\_\_\_\_
- 13. Legal Documents
  - a. Investor-Owner Rental Commitment (CDBG only) \_\_\_\_\_
  - b. Landlord/Tenant Agreement or Lease (CDBG only) \_\_\_\_\_
  - c. Deed of Trust Note or Promissory Note \_\_\_\_\_
  - d. Deed of Trust/Lien \_\_\_\_\_
  - e. Notice of Right to Cancel (for loans only) \_\_\_\_\_
  - f. Truth in Lending Disclosure Statement) (for loans only) \_\_\_\_\_
  - g. Acknowledgement of Receipt of ECOA Notices and Disclosures \_\_\_\_\_
  - h. Recordation Receipt for Deed of Trust \_\_\_\_\_
- 14. Permits
  - a. Building Permit \_\_\_\_\_
  - b. Health Permit (well and/or septic) \_\_\_\_\_
- 15. Approved Contractor Pay Requests \_\_\_\_\_
- 16. Change Orders
  - a. Approved by Owner, Rehab Specialist, Program Administrator & DHCD \_\_\_\_\_
  - b. Number of COs \_\_\_\_\_
  - c. Total Amount \$ \_\_\_\_\_
  - d. Disclosure Report if contract award is now  $\geq$  \$50,000 \_\_\_\_\_

- 17. Lead Related Reports
  - a. Documentation of Lead Inspector/Risk Assessor License \_\_\_\_\_
  - b. Documentation of Contractor and Crew training in Lead Safe Work Practices and Repair, Renovation & Painting (EPA) \_\_\_\_\_
  - c. LBP Clearance Examination Reports w/lab analysis attached \_\_\_\_\_
  - d. LBP Hazard Reduction Completion Notice \_\_\_\_\_
- 18. Warranties (Appliances and Materials) \_\_\_\_\_
- 19. Contractor's paper work
  - a. Affidavit of Release of Liens \_\_\_\_\_
  - b. Affidavit of Payment of Debts and Claims \_\_\_\_\_
  - c. Register of Contractors, Subcontractors and Suppliers \_\_\_\_\_
  - d. Register of Assigned Employees (CDBG Only) \_\_\_\_\_
- 20. Occupant Signed Home Maintenance Education Certificate \_\_\_\_\_
- 21. Final Release by Homeowner \_\_\_\_\_
- 22. Documentation of Homeowners/Hazard Insurance \_\_\_\_\_
- 23. Cost Breakdown for Construction and Non-construction Costs  
e.g.; IPR Cost Summary, Financial Summary and Completion Report \_\_\_\_\_
- 24. Loan Servicing Records e.g.; Annual Loan Statement,  
Monthly Loan Payment History, delinquent notices, etc (for loans only) \_\_\_\_\_

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*(Attach Sufficient Number of Exterior and Interior Photographs To Substantiate The Need For Demolition)*

Property Address: \_\_\_\_\_  
 \_\_\_\_\_

Square Footage (*current home*): \_\_\_\_\_ Lot size: \_\_\_\_\_

Square Footage (*substantial reconstruction*): \_\_\_\_\_

A. Estimated Cost of Rehab (Attach Cost Estimate and  
 HQS Inspection Form) \_\_\_\_\_

B. Estimated Cost of Substantial Reconstruction \_\_\_\_\_

C. Alternatives to Substantial Reconstruction and costs associated:  
*(Check **all** that apply)*

- ☐ Relocation was offered to the family
- ☐ Supplemental funding is not available at this time to rehab  
 the home at costs that exceed DHCD cost limits
- ☐ Other (explain) \_\_\_\_\_  
 \_\_\_\_\_

The homeowner understands and agrees that the plans for a substantially reconstructed house have been reviewed and the Program regulations state that if the current home, listed above, has too many deficiencies to be rehabilitated within the cost limits, it may be demolished and reconstructed.

\_\_\_\_\_  
 Homeowner

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Program Administrator

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 DHCD Approval

\_\_\_\_\_  
 Date

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**HOUSING REHABILITATION CONTRACTOR'S  
QUALIFICATION STATEMENT**

Please attach a photocopy of contractor's license and EPA Certification. All questions must be answered in full. Additional sheets for clarification of answers or additional information must be attached. **This statement must be notarized.**

1. Name, address, phone number, contractor license #, and IRS number (or last 4 digits of owner's social security #) of company.
2. List company's owner and principal officer and date and place organized.
3. Describe general character of work performed.
4. List any work awarded failed to be completed or contracts defaulted on. Note where and why.
5. List three most important recent contracts over \$10,000. State the owner, work, approximate cost, place, date started and date completed.
  1. \_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_
  2. \_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_
  3. \_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_
6. List the contracts upon which you are currently working. State the owner, location, approximate cost, and estimated date of completion.

7. List three material suppliers and amount of credit available.

1. \_\_\_\_\_ \$ \_\_\_\_\_  
2. \_\_\_\_\_ \$ \_\_\_\_\_  
3. \_\_\_\_\_ \$ \_\_\_\_\_

8. List bank references and amount of credit available.

1. \_\_\_\_\_ \$ \_\_\_\_\_  
2. \_\_\_\_\_ \$ \_\_\_\_\_

9. List insurance coverage and amount.

Liability-Property : \_\_\_\_\_ \$ \_\_\_\_\_  
Liability-Personal Injury : \_\_\_\_\_ \$ \_\_\_\_\_  
Vehicle and Equipment : \_\_\_\_\_ \$ \_\_\_\_\_  
Other-\_\_\_\_\_ : \_\_\_\_\_ \$ \_\_\_\_\_  
(identify)

10. List subcontractors utilized. State name, address, specialty, subcontractor license #, and years of experience.

1. Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Specialty: \_\_\_\_\_  
License # \_\_\_\_\_ Years of Experience \_\_\_\_\_

2. Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Specialty: \_\_\_\_\_  
License # \_\_\_\_\_ Years of Experience \_\_\_\_\_

3. Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Specialty: \_\_\_\_\_  
License # \_\_\_\_\_ Years of Experience \_\_\_\_\_

11. Provide a general description of the experience of the company and its key personnel.

12. Number of current full-time employees \_\_\_\_\_  
Number employed at highest level in past twelve months \_\_\_\_\_
13. Are you on any list of debarred contractors maintained by the U.S. Department of Labor, U.S. Department of Housing & Urban Development, or Virginia Department of Highways? ☐ YES ☐ NO
14. All contractors, subcontractors and their workers, including electricians, must have appropriate lead-based paint training in order to be considered for work under this program. Have any of your workers attended this training?  
☐ YES ☐ NO If yes, complete the Employee Training Record.

If not, they will be required to attend the training before they can work on a project site. Do you need information about lead training and certification classes?

☐ YES ☐ NO

Are you an EPA certified "Renovation, Repair and Painting" firm?

☐ YES ☐ NO

The undersigned hereby authorizes and requests any person, firm or Corporation to furnish any information requested by \_\_\_\_\_ in verification of the recitals comprising this statement of contractor's qualifications:

Contractor: \_\_\_\_\_  
By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
,

City/County/Town of \_\_\_\_\_,  
Commonwealth of Virginia

\_\_\_\_\_ being duly sworn deposes and says that he/she is  
\_\_\_\_\_ of \_\_\_\_\_  
and that the answers to the foregoing questions and all statements therein contained are true and correct.

My commission expires: \_\_\_\_\_.

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Registration Number

**LEAD BASED PAINT RELATED TRAINING AND CERTIFICATIONS  
EMPLOYEE RECORD**

Contractor's Name: \_\_\_\_\_ Date: \_\_\_\_\_

Employee's Name	Training Type and Level
	Certified Renovator #:

**Note: Each contractor must also have EPA Certification in “Renovation, Repair and Painting” as a firm and at least one individual Certified Renovator assigned to the project.**

# VIRGINIA INDOOR PLUMBING REHAB/LOAN PROGRAM DISCLOSURE REPORT

(Completed by all Developers, Contractors, Subcontractors or Consultants for contracts individually or cumulatively \$50,000 or greater, including change orders.)

1. Local Government Name \_\_\_\_\_
2. IPR Contract # \_\_\_\_\_
3. Project Name \_\_\_\_\_
3. Name of Firm \_\_\_\_\_
- President \_\_\_\_\_
- Address \_\_\_\_\_
- Telephone \_\_\_\_\_
- FIN or SS# \_\_\_\_\_

Type of Contract (check applicable description)

- |                    |                          |                   |                          |
|--------------------|--------------------------|-------------------|--------------------------|
| Construction Prime | <input type="checkbox"/> | *Construction Sub | <input type="checkbox"/> |
| Design             | <input type="checkbox"/> | Other Specify     | <input type="checkbox"/> |

Description of work or service provided:

\_\_\_\_\_

5. Date this Report \_\_\_\_\_ and \_\_\_\_ # of pages.
6. Revision to Report Date \_\_\_\_\_ and \_\_\_\_ # pages.

*\*Note:* Housing Rehabilitation subcontractors are not required to be listed or to complete this Report.

<b>Interested Parties</b>	<b>If Firm is an entity, identify each officer, director, principal stockholder and other persons who will have a \$50,000 or 10% interest, whichever is lower.</b>		
<b>Name (Last, First, Initial).</b>	<b>SS#</b>	<b>Type Participation</b>	<b>\$ and %</b>

If there are no persons with a reportable financial interest, you must also certify that this is true.

I hereby certify this information is true.

(Signature) \_\_\_\_\_ Date \_\_\_\_\_

Title \_\_\_\_\_

**Certification**

**Warning:** If you knowingly make a false statement on this form you may be subject to civil or criminal penalties under Section 1001 of Title 18 of the United States Code. In addition, any person who knowingly and materially violates any required disclosure of information including intentional non-disclosure is subject to a civil money penalty not to exceed \$10,000 for each violation.

**Note:** Please copy this page and attach additional pages as needed. Please indicate # of pages and date on cover.



All housing program administration, rehabilitation specialist, demotion and other non-construction contracts **MUST** contain reference to the following federal laws:

## **Subpart A: Equal Employment Opportunity**

1. Executive Order 11246, as amended (Contracts/subcontracts above \$10,000)
  - a. During the performance of this contract, the contractor agrees as follows:
    - (1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.
    - (2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive considerations for employment without regard to race, color, religion, sex, or national origin.
    - (3) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
    - (4) The contractor will comply with all provisions of Executive Order 11246, as amended, and of the rules, regulations, and relevant orders of the Secretary of Labor.

- (5) The contractor will furnish all information and reports required by Executive Order 11246, as amended, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
- (6) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246, as amended, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246, as amended, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.
- (7) The contractor will include the portion of the sentence immediately preceding paragraph (1) and the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246, as amended, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance: Provided, however, That in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the administering agency the contractor may request the United States to enter into such litigation to protect the interests of the United States.

b. Subcontracts

Each prime contractor or subcontractor shall include the equal opportunity clause in each of its subcontracts.

## **Subpart B: Title VI of the Civil Rights Act of 1964, as Amended**

All parties to this contract hereby agree to comply with the provisions of Title VI of the *Civil Rights Act of 1964* (Public Law 88-352) which provides: that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in be denied the benefits of, or be subjected to discrimination under any

program or activity receiving federal financial assistance of any dollar amount – no minimum threshold.

## **Subpart C: Section 109 of the Housing and Community Development Act of 1974, as Amended**

No person in the United States shall on the ground of race, color, national origin, or sex be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this title. Any prohibition against discrimination on the basis of age under the Age Discrimination Act of 1975 or with respect to an otherwise qualified handicapped individual as provided in section 504 of the *Rehabilitation Act of 1973* shall also apply to any such program or activity of any dollar amount – no minimum threshold.

## **Subpart D: Section 3 of the Housing and Urban Development Act of 1968**

*(Applicable to all contracts/subcontracts valued at \$100,000 or more in federal funds)*

1. The Section 3 area for this PROJECT is designated as the County of \_\_\_\_\_, Businesses and Residents of this County are considered “local” for project reporting purposes.
2. The work to be performed under this contract is on a project assisted under a program providing direct financial assistance from the Department of Housing and Urban Development and is subject to the requirements of Section 3 of the *Housing and Urban Development Act of 1968*, as amended, 12 U.S.C. 1701 u. Section 3 requires that to the greatest extent feasible, opportunities for training and employment be given to lower income residents of the project area, and that contracts in connection with the project be awarded to business concerns which are located in, and owned in substantial part by persons residing in the project area.
3. The parties to this contract will comply with the provisions of said Section 3 and the procedures for compliance issued pursuant thereto by the Virginia Department of Housing and Community Development set forth in this section to wit:
  - a. The PUBLIC BODY and the CONTRACTOR shall analyze the tasks to be performed under this CONTRACT and identify:
    - (1) The opportunities for training and employment of lower income residents of the project area, and

- (2) Contracts for construction contracts, non-construction contracts, materials and supplies in connection with the project to be awarded to business concerns which are located in, and owned in substantial part by persons residing in the project area.
- b. After determining what construction contracts, non-construction contracts, materials and supplies will be needed to be procured by the CONTRACTOR to complete the contract:
  - (1) The CONTRACTOR shall fill all employment positions to the greatest extent feasible with residents of the local (Section 3) county to the extent such residents are available and meet the generally accepted qualifications for the position(s) needed to be filled. And, the CONTRACTOR will fill all vacant trainee positions to the greatest extent feasible with residents of the local (Section 3) county to the extent such residents are available.
  - (2) The CONTRACTOR will subcontract to, and procure to the greatest extent feasible all construction contracts, non-construction contracts, materials and supplies necessary for the PROJECT from business concerns located and substantially owned by residents of the local (Section 3) county to the extent that such items are available, and of comparable quality and cost.
- c. The CONTRACTOR shall not circumvent these Section 3 requirements by:
  - (1) Filling vacant trainee or employment positions in its organization immediately prior to undertaking work on the PROJECT; or
  - (2) Entering into procurement contracts immediately prior to undertaking work on the PROJECT.
- 4. The CONTRACTOR will include this Section in every subcontract for work in connection with this PROJECT and will at the direction of the PUBLIC BODY take corrective action pursuant to the SUBCONTRACT upon a finding that the SUBCONTRACTOR is in violation of these provisions. The CONTRACTOR will not subcontract with any SUBCONTRACTOR where it has notice or knowledge that the latter has been found in violation of *Section 3 of the Housing and Urban Development Act of 1968*, and will not award any SUBCONTRACT unless the SUBCONTRACTOR has provided it with a preliminary statement of ability to comply with Section 3.
- 5. Compliance with the provisions of Section 3 and the provisions of this Section are a condition of the Federal financial assistance provided to the PROJECT, binding upon the PUBLIC BODY. Failure to fulfill these requirements shall

subject the PUBLIC BODY, its contractors, its subcontractors and its successors to those sanctions specified by the grant agreement or contract through which Federal assistance is provided.

6. The parties to this CONTRACT verify and agree that they are under no contractual or other disability which would prevent them from complying with these requirements.

## **Subpart E: Records Retention**

The CONTRACTOR shall maintain financial records, supporting documents, statistical records, and all other records pertinent to this contract during the period of this contract and for five (5) years from the date of final payment; except, if any litigation, claim or audit is started before the expiration of the 5-year period, the records shall be retained until all litigations, claims, or audit findings involving the records have been resolved.

## **Subpart F: Provisions Required by Law Deemed Inserted**

The provisions of Article 4 (Ethics in Public Contracting), Chapter 7 of Title 11 of the Code of Virginia, as amended, is hereby incorporated by reference and each and every other provision of law and clause required by law to be inserted herein shall be deemed to be inserted herein and the contract shall be read and enforced as though it were included herein.

## **Subpart G: Immigration Reform and Control Act of 1986**

The Contractor agrees by signing this contract that he/she does not and will not during the performance of this contract violate the provisions of the *Federal Immigration Reform and Control Act of 1986*, which prohibits employment of illegal aliens.

## **Subpart H: Access to Records**

The Public Body, the Virginia Department of Housing and Community Development, the U.S. Department of Housing and Urban Development, the U.S. Department of Labor, the Inspector General, and the General Accounting Office, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the

Contractor which are directly pertinent to this Contract for the purpose of making audit, examination, excerpts, and transcriptions.

## **Subpart I: Drug-Free Workplace Act Assurances**

The Contractor agrees by signing this contract that he/she will provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing a drug-free awareness program to inform employees about -
  - i. The dangers of drug abuse in the workplace;
  - ii. The grantee's policy of maintaining a drug-free workplace;
  - iii. Any available drug counseling, rehabilitation, and employee assistance programs; and
  - iv. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will -
  - i. Abide by the terms of the statement; and
  - ii. Notify the employer of any criminal drug statue conviction for a violation occurring in the workplace no later than five days after such conviction;
- (e) Notifying the Virginia Department of Housing and Community Development within ten days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such condition;
- (f) Taking one of the following actions, within 30 days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted –
  - i. Taking appropriate personnel action against such an employee, up to and including termination; or

- ii. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

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Attachment **FEDERAL CONSTRUCTION CONTRACT LANGUAGE**  
**27B** **FOR HOUSING REHAB CONTRACTS**

1. All housing rehabilitation construction contracts MUST contain reference to the following federal laws:

- a. Title VI of the *Civil Rights Act of 1964*, as amended:

"All parties to this contract hereby agree to comply with the provisions of Title VI of the *Civil Rights Act of 1964* (Public Law 88-352) which provides: that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

- b. Executive Order 11246, as amended:

"All parties to this contract which exceed \$10,000.00 hereby agree to comply with the provisions of Executive Order 11246 which provides: that contractors and sub-contractors take affirmative action to ensure fair treatment in employment, upgrading, demotion, layoff, or termination, rates of pay or other forms of compensation, and selection for training and apprenticeship."

- c. Section 109 of the *Housing and Community Development Act of 1974*, as amended:

"All parties to this contract hereby agree to comply with the provision of Section 109 of the *Housing and Community Development Act of 1974* which provides: that no person in the United States shall on the ground of race, color, national origin, or sex be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this title. Any prohibition against discrimination on the basis of age under the *Age Discrimination Act of 1975* or with respect to an otherwise qualified handicapped individual as provided in section 504 of the *Rehabilitation Act of 1973* shall also apply to any such program or activity.

- d. Section 3 of the *Housing and Urban Development Act of 1968*:

"All parties to this contract hereby agree to comply with the provisions of Section 3 of the *Housing and Urban Development Act of 1968* which provides:

- i) that to the greatest extent feasible opportunities for training and employment be given to lower income residents of the project area and contracts for work in connection with the project be awarded to business concerns which are located in or owned in substantial part by persons residing in the project area."

- ii) All parties to this contract hereby agree to comply with the following t: "Pursuant to the Provisions of 24 CFR Part 85 and Section 3 of the *Housing and Urban Development Act of 1968*, in procuring supplies, equipment, construction and services, and CONTRACTOR and all SUBCONTRACTORS will contact the firms located in the local project area (county) and, minority- and female-owned firms identified by the PUBLIC BODY on its solicitation list and provide such firms reasonable opportunities to compete for procurement contracts."
- e. The *Immigration Reform and Control Act of 1986*:

"All parties to this contract hereby agree to comply with the following provisions of the *Immigration Reform and Control Act of 1986* which provides: that the CONTRACTOR agrees by signing this contract that he or she does not and will not during the performance of this contract violate the provisions of the *Federal Immigration Reform and Control Act of 1986*, which prohibits employment of illegal aliens."
- f. *Lead-Based Paint Poisoning Prevention Act* (Pubic Law 91-695, 84 Stat. 2068 as amended by Public Law 93-151 and Public Law 94-317 (42 U.S.C. 4801))
  - i) "As pursuant to the *Lead-Based Paint Poisoning Prevention Act*, as amended, the CONTRACTOR and SUBCONTRACTORS shall not use lead based paint in residential structures and shall eliminate any lead-based paint hazards in residential structures rehabilitated."
  - ii) The governing body shall be responsible for inspection certifications and preparing specifications to eliminate identified lead based paint under CFR Section 35.24.
- 2. All housing rehabilitation construction contractors must submit a *Monthly IPR Register of Contractors, Subcontractors and Suppliers* for all procurement of \$10,000 or more as found on the following pages.

# IPR REGISTER OF CONTRACTORS, SUBCONTRACTORS AND SUPPLIERS

## Explanation of Form

*What it is used for:* To document all procurements of \$10,000 or more made in an IPR project. To assist in assuring compliance with Section 3.

*When it is used:* Procurements are registered as they occur or on a monthly basis prior to submittal. This form is compiled by the Subrecipient, the Prime Contractor, and each subcontractor per the instructions below for each month and part of month during the course of a contract.

*Where it goes:* The Subrecipient files all reviewed and accepted submittals in their procurement and equal opportunity project files.

*Instructions:*

- Complete the “Month Covered” and “Date Completed” in the top right corner.
- ROUND CONTRACT AMOUNTS TO THE NEAREST DOLLAR.
- RECORD THE PHYSICAL ADDRESS OF BUSINESS ONLY. P. O. Boxes and other mailing addresses are not acceptable.
- RECORD THE IRS # (SSN). The form will be returned if it is not filled out.
- A procurement is registered one time and only for the month in which it occurred; DO NOT DUPLICATE PROCUREMENTS ON SUBSEQUENT SUBMITTALS.

**SUBRECIPIENT’S RESPONSIBILITIES:** The Subrecipient should complete this form each month to register all applicable procurements with Prime Contractors, subcontractors and suppliers. For submittal to itself the Subrecipient completes line (1) of SECTION I; line (2) and (3) will be left blank. For every procurement with a Prime Contractor, the Subrecipient should complete lines (1) and (2) of SECTION I and supply the Prime Contractor with enough copies for the duration of the contract. After submission of the Register by its Prime, the Subrecipient must review the Register for completeness, accuracy and consistency. The Subrecipient should not pay the prime its final invoice until it has received all of the required Registers and has determined their accuracy.

**PRIME CONTRACTOR’S RESPONSIBILITIES:** The Prime Contractor must prepare and submit this form every month and part of month to the Subrecipient along with any submittals received from subcontractors. The Prime Contractor must use the forms supplied by the Subrecipient in which lines (1) and (2) of SECTION I are already completed and line (3) remains blank.

In SECTION II, the Prime will record in the first row his or her contract information with the Subrecipient. In the following rows, the Prime will identify each procurement of \$1,000 or more as either ‘subcontractor’ or ‘supplier’ and will give complete information in the remaining columns. For every procurement with a subcontractor, the Prime Contractor should complete item (3) of SECTION I (lines (1) and (2) being already completed by the Subrecipient).

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**Monthly** IPR Register of Contractors, Subcontractors and Suppliers - *Register Each Procurement ≥ \$10,000*

Month: \_\_\_\_\_

**SECTION I**

Subrecipient \_\_\_\_\_ Contract No. \_\_\_\_\_ -PR- \_\_\_\_\_

Client's Name & Address \_\_\_\_\_

Local Section 3 County FIPS Code: \_\_\_\_\_ Project Activity No.: \_\_\_\_\_

Check :	<input type="checkbox"/>	Constructed Pre-1978 OR
	<input type="checkbox"/>	1978 or later
Check :	<input type="checkbox"/>	Housing Rehab OR
	<input type="checkbox"/>	Substantial Reconstruction

**SECTION II: DETAILS OF PROCUREMENTS**

Choose one:	Name and Street Address of Business, and IRS# (or owner's SSN)	Contract Description or Items Supplied	Amount of Contract or Purchase	Ownership of Business (check ALL that apply)												
XXX prime contractor ___ subcontractor ___ supplier	    IRS# (or SSN)	Housing Rehab Contract	\$	<table> <tr> <td>___ Minority Business</td> <td>___ White American</td> </tr> <tr> <td></td> <td>___ Black American</td> </tr> <tr> <td>___ Local Business*</td> <td>___ Native American**</td> </tr> <tr> <td></td> <td>___ Hispanic American</td> </tr> <tr> <td>___ Female-Owned Business</td> <td>___ Asian American</td> </tr> <tr> <td></td> <td>___ Not American Owned</td> </tr> </table>	___ Minority Business	___ White American		___ Black American	___ Local Business*	___ Native American**		___ Hispanic American	___ Female-Owned Business	___ Asian American		___ Not American Owned
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\*SECTION 3 BUSINESS – A business located in the County surrounding the project area. 51% or more of the business is owned by Section 3 residents or 30% of permanent, full-time employed staff are Section 3 residents or 25+% of the dollar amount of subcontracts are committed to Section 3 businesses.

Section 3 residents are public housing residents or persons who live in the County and who have a household income that falls below HUD's income limits.

\*\*NATIVE AMERICAN - American Indian/Alaskan Natives

DHCD is acting as the responsible official for the entire IPR program in complying with the National Environmental Policy Act (NEPA). Although DHCD will conduct the overall assessment and have the proper notices published statewide, **subrecipients are required to complete an IPR Statutory Checklist for each property and submit to DHCD along with the Project Set-Up Package.** Documentation must be compiled to substantiate responses. These will enable us to certify that we have complied with NEPA.

IPR funds used for administrative activities are EXEMPT. Most IPR rehabilitations will be CATEGORICALLY EXCLUDED, meaning that the subrecipient need only complete and submit the IPR Statutory Checklist and comply with requirements of whatever mitigation is deemed relevant to the related laws.

The IPR Statutory Checklist and supporting documentation will constitute the Environmental Review Record (ERR) for each project. The checklist must be completed, copies placed in the client's file, and originals submitted to DHCD with the Project Set-Up.

**Subrecipients are required to visit each property to complete the IPR Statutory Checklist and determine compliance with the following regulations.**

## **1. HISTORIC STRUCTURES.**

The effect of rehabilitation on houses that are on, or eligible for the National Register of Historic Places, including historic districts, must be assessed. Consultation with the State Historic Preservation Officer or SHPO may be required. Houses that are less than fifty years old, and are located outside a designated district (or area eligible to be an historic district) do **not** require consultation with the SHPO.

If the unit is less than fifty years and is located outside of a designated or eligible historic district, check Box A of the Statutory Checklist, put the estimated date of construction in the second box, and indicate the type of house in the third box.

## **2. HOUSES GREATER THAN 50 YEARS OLD**

Determine if the house might be an unidentified historic property. Review the National Register of Historic Properties including any supplements and local historic reports. The National Register can be found at <http://www.nationalregisterofhistoricplaces.com/VA/>. Estimate the year of construction. If your assessment is that the unit is not likely to be historic, send a letter to the SHPO asking for concurrence that the rehab will not affect an historic property.

- a. Project Review Application Form correctly completed. See Attachment 28d;
- b. USGS 7.5 minute topographic map with the house clearly marked;
- c. Results of a completed archive search, including all maps and site documentation (if no resources were found during the search, this should be noted). Search can be done in person, by remote access through the Data Sharing System, or by DHR for a nominal fee; and
- d. Clear black and white photographs of the house and surrounding area.

Send everything the letter “Certified Mail, Return Receipt Requested.” The SHPO has thirty (30) days to respond upon receipt of complete information about the project. You must wait thirty-five (35) days to allow for transit time.

The SHPO should reply that “NO EFFECT” will occur, or if the thirty-five (35) days has elapsed, you should check the first column of the Statutory Checklist, insert the date of the Project Review Form or the end of the 35-day period in the second block and attach copies of the letters, photos and map.

### 3. RECOGNIZED OR POTENTIALLY HISTORIC STRUCTURES

If the house is identified as historic, is located in an historic district or possibly eligible to be on the Register, a Project Review Form must be sent to the SHPO requesting concurrence that the proposed work will have “NO ADVERSE AFFECT.” It must be accompanied by the four items listed above **plus** a set of the rehabilitation specification. Send the material via “Certified Mail, Return Receipt Requested.” Again, wait thirty-five (35) days for a reply.

The SHPO will make one of the following responses:

- a. ADVERSE AFFECT: The property is deemed historic and the SHPO requires submission of the Work Write-up for comments which you **must** consider.
- b. NO ADVERSE AFFECT: The SHPO deems that the rehabilitation will not be negative, but concurrence must be requested from the Advisory Council on Historic Preservation.

Local government recipients may directly request concurrence.

NON-PROFECT RECIPIENTS must **immediately** contact DHCD to request a cover letter since the Advisory Council can only review requests from state or local governments.

The letter must be accompanied by the SHPO's letter and all of the original documentation. Copy the SHPO on this letter.

After thirty-five (35) days, if the Advisory Council does not object to the determination of NO ADVERSE AFFECT, you should complete the Statutory Checklist.

**If the Council objects or the SHPO cites an adverse affect and changes are proposed, the subrecipient must consider the cost.** Accommodating the Secretary's Standards must not increase the cost above DHCD's cost limits and **must not** include the expenditure of IPR funds on items not related to DHCD's Housing Quality Standards.

For more information about the Advisory Council, go to their Web site at [www.achp.gov](http://www.achp.gov).

- c. NO EFFECT: No further actions are necessary.
- d. NO RESPONSE: If the SHPO does not response within thirty-five (35) days, no further action is necessary.

#### 4. 100 YEAR FLOOD PLAIN

IPR rehabilitation **must not** be done on houses in a 100-year flood plain UNLESS the owner obtains and maintains flood insurance. Check with your local Building Official in writing to determine if the property is in a 100-year flood plain or special flood hazard area. Photocopy the map's front panel showing the date and number. If the property is outside a 100-year flood plain, document the checklist accordingly.

**If the property is in the flood plain,** you must check to be sure the locality is participating in the national Flood Insurance Program. Comply with the requirements identified by the local Building Official for obtaining flood insurance on the site, evaluate the cost, and have the property owner agree in writing to obtain and maintain the flood insurance.

The cost of complying with the requirements and maintaining the flood insurance should be compared with the cost and feasibility of relocating the family. If the costs to comply with the flood hazard mitigation e.g.; elevating the structure exceeds DHCD's cost limits, and then an alternative **must be pursued**.

#### 5. COASTAL BARRIER RESOURCES AREA

IPR rehabilitation **must not** be done on houses in a Coastal Barrier Resources Area. Resources Areas are located in the following counties and Poquoson:

Accomack	Gloucester	Lancaster	Mathews
Middlesex	Northampton	Northumberland	Westmorland



Check the Box A of the Statutory Checklist if the property is outside these counties.

Check with the local Building Official in writing if the property is in one of the above-listed counties. Barrier Areas are identified on Flood Insurance Rate Maps for some areas. You may also need to check the Coastal Barrier Resource Maps from the U. S. fish and Wildlife Services via the Virginia Marine Resource Commission. If the house is in one of these counties, document the ERR with a copy of the front panel of the relevant map.

## **6. CLEAN AIR NON-ATTAINMENT AREAS (AIR QUALITY)**

Loudon County is the only participating locality presently in a non-attainment area.

## **7. NOISE ATTENUATION MEASURES (ABATEMENT AND CONTROL)**

Check Box A of the Statutory Checklist if the answers to the following questions are negative:

- a. Is the property within 1,000 feet of a major road or highway?
- b. Is the property within 3,000 feet of a railroad?
- c. Is the property within five (5) miles of one of the airports listed below in Section 8?
- d. Is the property within fifteen (15) miles of a military airfield on the below list?

If the answer to any of these questions is yes, note it in Box C of the Statutory Checklist and indicate there are no practical alternatives to the rehabilitation work. In this situation, consider noise attenuation measures, such as special windows, insulation and natural noise barriers.

## **8. RUNWAY CLEAR ZONES**

This regulation applies to your project if the unit is located within one-half mile of a major civilian airport or two and one-half miles of a military base listed below:

### **CIVILIAN AIRPORTS:**

Charlottesville/Albemarle County Airport  
Danville Municipal Airport  
Ingalls Field – Hot Springs  
Lynchburg Municipal Airport  
Newport News/Williamsburg Airport (Patrick Henry)  
Shenandoah Valley – Staunton/Harrisonburg  
Dulles International Airport

## MILITARY AIRPORTS

Marine Corps Air Facility – Quantico  
Auxiliary Landing Field – Fentress (Chesapeake)  
Langley Field

If applicable, contact your local Building Official or the airport operator in writing to determine if the unit is in the Clear Zone, A Runway Clear Zone, the Accident Potential Zone 1, or Accident Potential Zone II. Units located in an Accident Potential Zone II are approved for rehabilitation. Units in the other zones **must not** be rehabilitated and you may wish to consider relocation of these households.

## 9. SOLE SOURCE AQUIFER

Check Box A of the Statutory Checklist unless you are in Clarke County and plan to substantially reconstruct rather than rehabilitate the house. In that case, determine from your local Building Official if the property is in the Sole Source Aquifer area.

## 10. EXPLOSIVE OR FLAMMABLE HAZARDS

If the house is within one (1) mile of a hazardous liquids or gases storage area e.g.; petroleum, gasoline, kerosene, propane, hydrogen, benzene, or hexane note it in Box C and have the homeowner sign a letter of acknowledgement and attach the signed letter to the Statutory Checklist.

## 11. TOXIC CHEMICALS AND RADIOACTIVE MATERIAL HAZARDS

If the house is within one (1) mile of a dump, landfill, manufacturing, storage or disposal site for materials or wastes on the **EPA CERCLIS** list, indicate the same in Box C. Contact DHCD. We will request an evaluation of the Site from EPA, and approve or disapprove of the project depending on the response from EPA. The homeowner will also be required to sign a letter of acknowledgement.

For more information about the Superfund list, go the EPA's query Web site at [http://www.epa.gov/enviro/html/cerclis/cerclis\\_query.html](http://www.epa.gov/enviro/html/cerclis/cerclis_query.html).

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**Attachment****28B****IP/R STATUTORY CHECKLIST**

Subrecipient's Name: \_\_\_\_\_

Owner's Name: \_\_\_\_\_

<b>AREA OF STATUTORY OR REGULATORY COMPLIANCE</b>	<b>A NO CIRCUM- STANCE REQUIRING COMPLI- ANCE</b>	<b>B DATE COMPLI- ANCE ACHIEVED</b>	<b>C REFERENCES TO NOTES PROVIDING DOCUMENTATION, SOURCES, AND EXPLANATION OF CHECKED BOXES</b>
<b>Historic Properties</b> - Houses is outside an historic district & is less than 50 years old			
<b>-House is eligible or on Register or in an Historic District</b>			
<b>Floodplain Management</b>			
<b>Coastal Barrier Resources Area</b>			
<b>Clean Air Non-Attainment Areas (Air Quality)</b>			<b>House is not located within Loudon County</b>
<b>Noise (24 CFR Part 51B)</b>			
<b>Airport [except for Clear Zone Notification of [24 CFR Part 51D 303 (a)(3)]</b>			
<b>Hazardous Facilities (24 CFR Part 51C)</b>			
<b>Clarke Co Sole Source Aquifer</b>			<b>House is not located within Clarke County.</b>

Prepared By: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

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**Historic Preservation / Archeological Review**

Section 106 of the National Historic Preservation Act requires that the effects of IPR projects on properties included in or eligible for the National Register of Historic Places be taken into account. The Advisory Council on Historic Preservation seeks, through the Section 106 process, to accommodate historic preservation concerns with the needs of federally funded projects. Such accommodation is encouraged through consultation among the Agency Official, the State Historic Preservation Officer (SHPO), and other interested persons during the planning stage.

Consulting parties for the Historic Preservation/Archeological Review are defined as follows:

- Agency Official. The official with legal jurisdiction and responsibility for the project. Under the IPR Program, the Agency Official is the designated certifying official of the Subrecipient who accepts the jurisdiction of federal courts for enforcement purposes. Normally, this official is the Chief Executive Officer of the locality.
- State Historic Preservation Officer (SHPO). The SHPO coordinates State participation in the Section 106 process. Their role is to consult with and assist the Agency Official when identifying historic properties, assessing effects upon them, and considering alternatives to avoid or reduce those effects.
- Advisory Council. The Council is responsible for commenting to the Agency Official when historic properties are affected.
- Interested Persons. Organizations or individuals that are concerned with the effects of a project on historic properties.

The Consultation Process (Agency Official's Responsibilities) for the Historic Preservation/Archeological Review is as follows:

1. Prior to notifying the SHPO, the Agency Official **MUST** review existing information on historic properties potentially affected by the project, including any data concerning the likelihood that unidentified historic properties exist in the project area.
2. Request the views of the SHPO on further actions to identify historic properties that may be affected. The SHPO must be contacted in writing (see SAMPLE). Technically, a Subrecipient cannot certify that its project has **NO SIGNIFICANT IMPACT ON THE ENVIRONMENT** until the project is cleared by the SHPO unless the SHPO fails to respond within thirty (30) days of notification.

The following is the type of letter that must be sent to the State Historic Preservation Officer (SHPO), as required by 36 CFR 800.4. The key is to clearly identify the project, its location, existing conditions, past construction activity, current land use, and construction methods. In addition, your letter should contain:

- Any significant observations from your site inspections;
- Photographs;

- Your review of the National Register of Historic Places, including the periodic supplements; and your determination that there will be no effect on historic properties;
- A review of any local historic reports;
- U.S.G.S. Quadrangle Map specifically locating the structure(s).

*The letter should be sent to:*

Director  
 Virginia Department of Historic Resources  
 Attn: Review and Compliance Officer  
 2801 Kensington Avenue  
 Richmond, Virginia 23221  
 804-367-2323  
 with 'cc' to: Supervisor, Project Review Section  
                     Virginia Research Center for Archeology  
                     c/o Department of Historic Resources  
                     2801 Kensington Avenue  
                     Richmond, Virginia 23221

The Responsible Entity can either submit hard copy applications and correspondence through USPS, FedEx, etc. or electronically through ePIX (DHR's Electronic Project Information Exchange) which can be located on DHR's website at <https://solutions.virginia.gov/ePIX>.

## LETTER TO STATE HISTORICAL PRESERVATION OFFICER

CERTIFIED MAIL

June 1, 20\*\*

Director  
Virginia Department of Historic Resources  
Attn: Review and Compliance Officer  
2801 Kensington Avenue  
Richmond, Virginia 23221

Dear Director:

The City of Grantsville is applying to the Virginia Department of Housing and Community Development for funding to extend water and sewer lines in various sections of the City. Enclosed are copies of maps from a DHR archives search which identify any historical or cultural resources and neighborhood photographs illustrating the three (3) project service areas.

These areas are geographically bounded by State Route 683 on the South, the Grantsville limits on the East and West, and Norfolk-Western Railroad on the North. Physical improvements to the area will include the extension of lateral water lines and the extension of sewer lines throughout the City.

Project One involves the installation of approximately 1,000 linear feet of water line on Davis Boulevard, White Marsh Road, and Seminole Drive which are currently served by inadequate well systems. Project Two allows for the installation of approximately 2,900 linear feet of water line on Dill, Carolina and Benton Roads. Project Three will require the installation of fifty bathrooms and approximately 8,000 linear feet of gravity sewer line on Ashley Avenue, Mason Avenue, Kennedy Street, Causey Street, South Broad Street, Linden Avenue, First Street, and Second Street in the Philadelphia and Saratoga Place neighborhoods and on East Washington Street, Suburban Drive, Cross Terrace, Riddick Drive, Bailey Circle, Reid Street, and Bell Street in the Pierce Park neighborhood of the City.

I would note that the proposed projects are contained almost entirely within the existing right-of-way of the streets in the project areas. Very little physical work will be undertaken in locations not previously disturbed by extension construction or in areas routinely maintained, either by the City or the Virginia Department of Transportation. Absolutely no impact is anticipated on any historic or archeological sites.

The bathrooms will be constructed within the existing houses or added as additions. Specifications will require that the addition match the existing construction exterior as close as possible. All unsanitary pit privies will be removed to comply with Department of Health sanitation standards.



**Director**  
**Page Two**  
**June 1, 20\*\***

The City has reviewed the National Register of Historic Places of Block County prepared by I. M. Lookinhard and has determined that no historical person has lived within the project area and no historical structures exist within the project area that have a bearing on the history of Grantsville or Block County.

In the unlikely event any such sites are discovered during project construction activities, the City will be immediately informed by the on-site contractor, and your Office will be notified shortly thereafter. The City will undertake every effort to ensure that historic and archeological sites will in no way be disturbed by the proposed activities.

The City has determined that no effect or no adverse effect will occur to archeological sites or historic structures.

Your review of this project and a response within thirty (30) days would be greatly appreciated. Should you have any questions concerning this matter, please do not hesitate to contact me or Sally Smith of my staff.

Sincerely,

Tom Tyron  
Mayor

CR/kr

Enclosures [...INCLUDE PHOTOGRAPHS and TOPO MAPS...]

cc: Supervisor, Project Review Section; Virginia Research Center for Archeology

Attachment

**28D**

**DHR Historic Resources  
Archive Search Application**

**Form to be completed by Subrecipient**

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# VIRGINIA DEPARTMENT OF HISTORIC RESOURCES ARCHIVES SEARCH

Please send this completed form and user agreement with a copy of USGS quad map to Quatro Hubbard,  
Archivist, Department of Historic Resources, 2801 Kensington Avenue, Richmond, VA 23221

NAME: \_\_\_\_\_

COMPANY AFFILIATION: \_\_\_\_\_

FED ID #/SSN #: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE #: \_\_\_\_\_

FAX #: \_\_\_\_\_

E-MAIL CONTACT: \_\_\_\_\_

## **LOCATION OF PROJECT**

NAME OF PROJECT: \_\_\_\_\_

NAME OF QUADS: \_\_\_\_\_

NAME OF COUNTY: \_\_\_\_\_

**TYPE OF SEARCH:** Please mark the "Expedited" box **in addition** to one of the other two types of searches  
**only** if you wish to have the search done in less than 3 business days (with an additional fee of \$150).

Maps Only

☐

Search Detailed Search

☐

Expedited?

☐

## **SEARCH AREA FOR HISTORIC PROPERTIES/DISTRICTS:**

One Mile Radius

☐

Two Mile Radius

☐

Marked Site Area Only

☐

## **SEARCH AREA FOR ARCHAEOLOGICAL SITES:**

One Mile Radius

☐

Two Mile Radius

☐

Marked Site Area Only

☐

Search results will be mailed unless other arrangements are made in advance. If you would like results sent via  
Federal Express, please provide that number here: \_\_\_\_\_

**DHR will also need a signed Conditions for Use agreement (provided below) submitted BEFORE we can  
conduct the requested search.**

# Department of Historic Resources

## CONDITIONS FOR USE OF DIGITAL AND OTHER DHR LOCATIONAL DATA

Use of this data is subject to the following conditions:

1. **User understands and acknowledges that release of precise locations may threaten archaeological and historical resources. User shall take reasonable precautions to ensure the security of site locations.**
2. User will identify "Department of Historic Resources" as data source on any map or publication using DHR data. User will also include the date provided.
3. User will provide DHR with two copies of any reports prepared using Virginia Department of Historic Resources data if requested by DHR.
4. Although DHR maintains high standards of data quality control, DHR makes no warranty that the data are necessarily accurate or complete.
5. Obtaining information on previously recorded historic properties does not constitute review under Section 106 of the National Historic Preservation Act. If a project is federally funded, licensed, or assisted, the federal agency may require you to obtain DHR comment under Section 106. If you are also requesting a review of your project on behalf of a federal agency, you may download a Project Review Form from our web site at [www.dhr.state.va.us](http://www.dhr.state.va.us).
6. User understands and acknowledges that the accuracy of these data is time-limited. User agrees to use DHR-provided data only for the term specified by DHR, and to incorporate all updates provided by DHR. Under no circumstances shall User continue using DHR-provided historic resource data for more than six months following its generation.
7. If there are charges, User shall pay agreed charges within 30 days of being billed by DHR.
8. Photographs may only be reproduced in commercial publications if specific permission is granted by DHR.
9. User will indemnify and hold DHR and its officers and employees harmless against any claims by third parties arising out of the use by User of the data provided hereunder.
10. This Agreement is the entire agreement between the parties with respect to the subject matter hereof. It shall be construed in accordance with the law of the Commonwealth of Virginia and may be amended only in writing signed by both parties.

**By accepting the DHR data, User agrees to abide by all of the above conditions**

**User signature**

**Printed name**

User Title and Affiliation

Date

## **Archives Search**

### **VIRGINIA DEPARTMENT OF HISTORIC RESOURCES**

Information on previously surveyed historic resources and archaeological sites is available in our archives. The hours are from 8:30 a.m. until 12 noon and from 1 p.m. until 4:45 p.m. on weekdays (excluding state holidays). There is no charge to use the archives, but nominal fees are charged for photocopies and color printouts of maps. Appointments are not necessary.

If you are unable to come to our Richmond office to use the archives, and would like our staff to process your request, we can provide that service for a fee.

To conduct a search, we will need the above cover sheet filled out in full, a copy of a USGS topographical quad map clearly delineating your project site and a signed Conditions for Use Agreement. An invoice will be included with your search results. In order to issue an invoice, we will need your company's Federal ID number or the Social Security number of the individual making the request.

Descriptions and fee schedules for the search services are as follows:

#### **Cell Tower Searches**

A search of the DHR's cultural resource inventory for locational data only on all previously recorded archaeological sites, and architectural structures and districts. You will receive a map (or maps) showing the locations of any architectural resources within a one mile radius of your site, if the tower will be 199 feet or less in height, or two miles if the tower will be 200 feet or taller. You will also receive a map showing the archaeological sites in the immediate vicinity of your project area.

The cost is \$25 per quad sheet searched, plus a \$50 processing fee for each project. Even if no previously identified resources are present within the radius, you will still receive copies of our maps, and the fees will still be assessed. We strive to complete the search for you within ten business days of our receipt of clearly marked USGS quad mapping, the completed request form and a signed Conditions for Use Agreement.

#### **Detailed Searches**

A search of the DHR's cultural resource inventory for the presence of all previously recorded archaeological sites, and architectural structures and districts. You will receive maps showing the locations of any architectural or archaeological resources within your marked project area.

You will also receive copies of architectural survey forms and archaeological site forms for those resources identified in your project area. In addition, you will receive a printout of the architectural resources with the resource name, DHR file number and indication as to whether the resource is listed on the registers, or has been evaluated by the Department for possible inclusion on the registers. If an archaeological site has been evaluated for possible inclusion on the registers, then you will receive a copy of that letter of determination or evaluation form.

The cost is \$25 per quad sheet searched, a \$50 processing fee for each project and \$10 per site for the forms and a printout of each resource identified within your project area. If the file is missing, then that will be noted and the fee will not be charged. If no resources are identified in your project area, you will still receive copies of our maps, and the processing and quad sheet fees will still be assessed. We strive to complete the search for you within ten business days of our receipt of clearly

marked USGS quad mapping, the completed request form and a signed Conditions for Use Agreement.

#### Expedited Searches

If you require the information urgently, we offer an expedited archives search, for which a surcharge of \$150 will be required. Please mark the expedited box on the above search form in addition to either the cell tower or detailed search box if you desire the faster service.

The goal is to complete the expedited search in three business days or less from the day on which we receive a completed request form, a signed conditions for use agreement and clearly marked USGS quad mapping. You will be contacted if circumstances prevent us from successfully completing your search within the three-day goal to give you an estimated time frame.

Our results will be sent to you by standard mail unless other arrangements are pre-arranged. A space is provided on our search request form for you to include your Federal Express number if you desire overnight delivery of the results.

#### Conditions

DHR serves as the official state repository on historic resources. This information has been compiled primarily by independent cultural resource consultants. DHR makes no warranty as to the fitness of the data for any purpose.

**The absence of historic resources in DHR records does not necessarily mean that no historic properties are present.** It is possible that the area in question has not been systematically surveyed for resources.

Obtaining information on previously recorded historic properties does not constitute review under Section 106 of the National Historic Preservation Act. If a project is federally funded, licensed, or permitted, the federal agency may require you to obtain DHR comment under Section 106. If you are also requesting a review of your project on behalf of a federal agency, you may download a Project Review Form from our web site at <http://www.dhr.virginia.gov/>. **This is a separate process that does not involve the archives, and thus cannot be accomplished concurrent with an archives search.**

#### DHR Contact

Please send your completed search request form and your marked USGS quad map to:

Archives Search Service  
c/o Quatro Hubbard  
Archivist  
Department of Historic Resources  
2801 Kensington Avenue  
Richmond, VA 23221-2470

You may fax your documentation to the attention of the archives at (804) 367-2391.

If you have any questions concerning this information, please contact:

Quatro Hubbard at (804) 367-2323, extension 124  
Fax: (804) 367-2391  
E-mail: [HHubbard@dhr.state.va.us](mailto:HHubbard@dhr.state.va.us)

# DHR Historic Review Process and Project Review Form

## Requesting a Project Review from the Department of Historic Resources

The Department of Historic Resources (DHR) is Virginia's State Historic Preservation Office (SHPO). Section 106 of the National Historic Preservation Act of 1966, as amended, requires federal agencies to consult with the SHPO and others who may have knowledge of historic properties in identifying known historic properties which may be affected by a federal undertaking, and in determining the need for further survey efforts to identify previously unrecorded historic properties. Information on Section 106 and the text of the Section 106 regulations are available on the web site of the Advisory Council on Historic Preservation ([www.achp.gov](http://www.achp.gov)).

**THIS APPLICATION MUST BE COMPLETED FOR ALL FEDERAL UNDERTAKINGS AND SUBMITTED TO THE VIRGINIA DEPARTMENT OF HISTORIC RESOURCES FOR REVIEW.** A federal undertaking is defined in the Section 106 regulations as "a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including those carried out by or on behalf of a Federal agency; those carried out with Federal financial assistance; those requiring a Federal permit, license or approval; and those subject to State or local regulation administered pursuant to a delegation or approval by a Federal agency." **This form may also be used to obtain the comments of DHR as part of a state review process.** Please provide a completed form even in cases where project information is included in a separate document, such as an Environmental Impact Report. Environmental documents may be submitted as attachments to the form if they provide an important part of the project description.

A program specific review application form for cell tower projects is available on DHR's website along with several other attachments to the project review application relating to the rehabilitation and demolition of historic structures which are intended to streamline the process.

### **Before You Complete the Project Review Application Form**

1. Determine if your project constitutes an undertaking that has the potential to impact historic properties, assuming such historic properties were present (for the definition of an undertaking, go to the Section 106 Regulations, Definitions section, 36 CFR 800.16, on the web at [www.achp.gov/regs.html](http://www.achp.gov/regs.html)).
2. Determine the Area(s) of Potential Effect (APE) for the project. For the purposes of Section 106, the area of potential effect (APE) is defined as the entire geographical area in which changes may occur to historic properties if any are present. The APE for archaeological resources may be different than for architectural resources. The view shed of historic properties often extends well beyond their boundaries and is often an important contributing element to their historic significance. Therefore, projects which alter the landscape drastically - large scale subdivisions, highway construction - or those which insert a large, intrusive structure into the landscape - cell towers, water towers - must take into account the surrounding view shed when determining the APE. A field inspection of the project area will help to establish the APE. Establishing the APE is the responsibility of the federal agency in consultation with DHR. When acting on the behalf of a federal agency, the APE that is



presented to DHR must be the APE that is approved by that agency. The boundaries of the APE should be clearly described and indicated on a U.S.G.S. quad map (original or clear copy). If there are two different APEs – one where ground disturbance is going to occur and one where view shed is the only concern, for instance, these should be clearly indicated.

3. Gather information to identify the historic properties within or adjacent to the APE that may be affected by your project. Information on recorded historic properties is available in the DHR Archives, and this information must be collected prior to submitting project review application. The Archives are open to the public, and the only charges for use are 15 cents per page for copies. If it is not possible to visit the DHR Archives, the archivist will provide information on recorded properties for a fee (telephone the Archives at 804-367-2323, extension 125 for more information). Please be aware that survey in Virginia is far from complete, and the absence of historic resources in DHR records does not necessarily mean that no historic properties are present. Information that should be considered in the identification process may also be available in other repositories, such as county planning offices and historical societies. On-site inspections are an essential component of the identification process. Photographs of the subject property and any nearby properties that may be over 50 years old should be provided with your project review application. Please attach the available information on recorded historic properties within the APE and documentation resulting from field inspection to the project review application form. If no historic properties are recorded in the APE, and if no potentially historic properties were observed during field inspection, note this on the application form.
4. Following the identification process, you should complete the project review application form in its entirety by referring to the following instructions. Attach or enclose the required additional information, and submit your application packet to DHR. The Department of Historic Resources will respond to your request within 30 days.

## **How to Complete the Project Review Application Form**

### **I. GENERAL PROJECT INFORMATION**

1. Indicate if the project or any part thereof has been previously reviewed by DHR and if so, insert the file number. If we know that a project has been previously reviewed, we can often avoid asking for duplicate information.
- 2-3. Complete this section in its entirety providing the name and location (independent city or town and county) of the project. If your project involves work on a specific building, please include the street address of the building.
4. For CDBG projects, the Lead Federal Agency is HUD and the Subrecipient. Other Federal Agency will be any other federal agency who is funding the projects e. g., Rural Development. State Agency is DHCD.
- 5-6. Lead Agency Contact is the designated Certifying Officer. Applicant Contact is the individual with the most knowledge of the ERR, including the DHR submission. It is important that complete mailing addresses be provided.

### **II. PROJECT LOCATION AND DESCRIPTION**

7. Indicate the name of the USGS quadrangle on which your project area is located. An original or clear photocopy of the 7.5 minute USGS topographic quadrangle, or a clearly labeled portion thereof, showing the exact boundaries of the project location, and the project's Area(s) of Potential Effect (APE) must be attached to this application. Do not reduce or enlarge the map. Topographic maps may be downloaded free of charge from Topozone© ([www.topozone.com](http://www.topozone.com)).

8. Indicate the acreage of the project area.
9. Indicate if an architectural or archaeological survey has been conducted as part of the identification process or in a different context by consulting DHR's Archives. Indicate the author, title, and date of the report and if a copy of it is on file at DHR. If a survey has been completed and a copy is not on file, a copy should be included with the application materials.
10. During the identification stage of the Section 106 process you should determine the presence/absence of structures 50 years old or older. Indicate if the Archives search revealed any historic properties in the APE and if the site inspection revealed any properties over 50 years of age within or adjacent to the project area which may or may not be recorded at DHR. The date of construction for structures is often indicated in county or state tax records. Photographs of all structures over 50 years of age must be included with the application materials.
- 11-12. These questions are designed to help DHR determine if your project needs to be reviewed by an architectural historian or an archaeologist or both. If the answer to either of these questions is yes, a complete explanation is required in the Description.
13. Description. Attach a detailed description of the project area and the proposed undertaking, making sure to include the following information:
  - a) Description of the existing land use. Include photographs of the project area.
  - b) Description of any recent modifications to the landscape. [Note: If the existing landscape appears to be markedly different from that shown on the attached quad map, please include information to that effect explaining what changes have occurred since the map was last updated.]
  - c) For projects involving the rehabilitation, alteration, or demolition of a structure over 50 years of age, a detailed description of the extent of the proposed alterations, along with photographs, architectural and engineering drawings, project specifications, and maps will be required.
  - d) Detailed project description that includes the precise location of all construction, destruction, and other proposed disturbance, the horizontal and vertical dimensions of all above and below ground construction, and the nature and extent of any previous disturbances – i.e. it is in a plowed field or disturbed VDOT right-of-way – within the APE.

**Please Note:** A complete project review application consists not only of the fully completed form, but also a completed Archives search, a USGS topographic map with the APE marked, a detailed project description, and all required photographs and project plans. A checklist is provided at the end of the application. Accurate and complete information will help in obtaining a timely response. If all required materials are not submitted, you will receive notification that your application is incomplete and the 30-day review period will not begin until all necessary materials are received.

#### **MAIL COMPLETED FORM AND ATTACHMENTS TO:**

Virginia Department of Historic Resources  
Attention: Project Review  
2801 Kensington Avenue  
Richmond, VA 23221  
[www.dhr.virginia.gov](http://www.dhr.virginia.gov)

## ***Project Review Application Form***

This application **must** be completed for all projects that will be federally funded, licensed, or permitted, or that are subject to state review. Please allow 30 days from receipt for the review of a project. **All information must be completed before review of a project can begin and incomplete forms will be returned for completion.**

### **I. GENERAL PROJECT INFORMATION**

1. Has this project been previously reviewed by DHR? YES \_\_\_\_ DHR File # \_\_\_\_\_

2. Project Name \_\_\_\_\_

3. Project Location \_\_\_\_\_  
City \_\_\_\_\_ Town \_\_\_\_\_ County \_\_\_\_\_

4. Specify Federal and State agencies involved in project (providing funding, assistance, license or permit). Refer to the list of agencies and abbreviations in the instructions.

Lead Federal Agency HUD/ \_\_\_\_\_

Other Federal Agency \_\_\_\_\_

State Agency VDHCD \_\_\_\_\_

#### **5. Lead Agency Contact (Certifying Officer) Information**

Contact Person \_\_\_\_\_

Mailing Address \_\_\_\_\_

Phone Number \_\_\_\_\_ Fax Number \_\_\_\_\_

Email Address \_\_\_\_\_

#### **6. Applicant Contact Information**

Contact Person \_\_\_\_\_

Mailing Address \_\_\_\_\_

Phone Number \_\_\_\_\_ Fax Number \_\_\_\_\_

Email Address \_\_\_\_\_

### **II. PROJECT LOCATION AND DESCRIPTION**

7. USGS Quadrangle Name \_\_\_\_\_

8. Number of acres included in the project \_\_\_\_\_

9. Have any architectural or archaeological surveys of the area been conducted? YES\_\_\_\_  
NO\_\_\_\_

If yes, list author, title, and date of report here. Indicate if a copy is on file at DHR.

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10. Are any structures 50 years old or older within or adjacent to the project area? YES\_\_\_\_  
NO\_\_\_\_

If yes, give date(s) of construction and provide photographs.

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11. Does the project involve the rehabilitation, alteration, removal, or demolition of any structure, building, designed site (e.g. park, cemetery), or district that is 50 years or older? If yes, this must be explained fully in the project description. YES\_\_\_\_  
NO\_\_\_\_

12. Does the project involve any ground disturbance (e.g. excavating for footings, installing sewer or water lines or utilities, grading roads, etc.)? If yes, this must be explained fully in the project description. YES\_\_\_\_  
NO\_\_\_\_

13. DESCRIPTION: Attach a complete description of the project. Refer to the instructions for the required information.

To the best of my knowledge, I have accurately described the proposed project and its likely impacts.

\_\_\_\_\_  
Signature of Applicant/Agent

\_\_\_\_\_  
Date

**The following information must be attached to this form:**

\_\_\_\_ Completed DHR Archives search  
\_\_\_\_ USGS map with APE shown  
\_\_\_\_ Complete project description  
\_\_\_\_ Any required photographs and plans

\_\_\_\_ No historic properties affected \_\_\_\_ No adverse effect

\_\_\_\_ Additional information is needed in order to complete our review.

\_\_\_\_ We have previously reviewed this project. A copy of our correspondence is attached.

Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Phone number \_\_\_\_\_ DHR File # \_\_\_\_\_

*This Space For Department Of Historic Resources Use Only*

# **LOCAL (SECTION 3) COUNTY BUSINESS AND EMPLOYMENT PLAN**

1. The *(Insert Subrecipient Governing Body's Name)* designates as its Local (Section 3) County Business and Employment Project Area the County of \_\_\_\_\_ *(insert name of county/counties designated as the Subrecipient IPR service area)*.
2. The *(Insert Subrecipient Governing Body's Name)*, its contractors, and designated third parties shall in utilizing HOME funds for Indoor Plumbing Rehabilitation Loan Program activities utilize businesses and lower income residents of the Local (Section 3) County in carrying out all activities, to the greatest extent feasible.
3. In awarding contracts for construction, non-construction, materials, and supplies the *(insert Subrecipient Name)*, its contractors, and designated third parties shall take the following steps to utilize businesses which are located in or owned in substantial part by persons residing in the Local (Section 3) County are:
  - (a) The *(Insert Subrecipient Governing Body's Name)* shall identify the contracts required to conduct the IPR activities.
  - (b) The *(Insert Subrecipient Governing Body's Name)* shall identify through various and appropriate sources including:  
Local (Section 3) County Newspaper of General Circulation  
\_\_\_\_\_  
\_\_\_\_\_
 

the business concerns within the Local (Section 3) County which are likely to provide construction contracts, non-construction contracts, materials, and services which will be utilized in the activities funded through the IPR Program.
  - (c) The identified contractors and suppliers shall be included on bid lists used to obtain bids, quotes or proposals for work or procurement contracts which utilize IPR funds.
  - (d) To the greatest extent feasible the identified business and any other project area business concerns shall be utilized in activities which are funded with IPR.
4. The *(Insert Subrecipient Governing Body's Name)* and its contractors and subcontractors shall take the following steps to encourage the hiring of lower income persons residing in the Local (Section 3) County:

(a) The *(Insert Subrecipient Governing Body's Name)* in consultation with its contractors (including design professionals) shall ascertain the types and number of positions for both trainees and employees which are likely to be used to conduct IPR activities.

(b) The *(Insert Subrecipient Governing Body's Name)* shall advertise through the following sources:

Project Area Newspaper of General Circulation

\_\_\_\_\_  
\_\_\_\_\_

the availability of such positions with the information on how to apply.

(c) The *(Insert Subrecipient Governing Body's Name)*, its contractors, and subcontractors shall be required to maintain a record of inquiries and applications by project area residents who respond to advertisements, and shall maintain a record of the status of such inquiries and applications.

(d) To the greatest extent feasible, the *(Insert Subrecipient Governing Body's Name)*, its contractors, and subcontractors shall hire lower income project area residents in filling training and employment positions necessary for implementing activities funded by IPR.

5. In order to document compliance with the above affirmative actions and Section 3 of the *Housing and Community Development Act of 1968*, the *(Insert Subrecipient Governing Body's Name)* shall keep, and obtain from its contractors and subcontractors, *Registers of Contractors, Subcontractors and Suppliers* and *Registers of Assigned Employees* for all activities funded by IPR. Such listings shall be completed and shall be verified by site visits and employee interviews, crosschecking of payroll reports and invoices, and through audits if necessary.

# Local (Section 3) County Business and Employment Notice

*[Instructions: Publish as a display advertisement in the local paper's non-legal section.]*

*(Insert Subrecipient's name)* is preparing to carry out the Indoor Plumbing Rehabilitation Program through the use of federal HOME grant Funds. In the implementation of this project the following job types may be available:

*(Insert List of Job Classifications to be used during project here)*

In carrying out this project *(Insert Subrecipient's name)*, its contractors and subcontractors will, to the greatest extent feasible, will utilize qualified persons who permanently reside within *(Insert the Local (Section 3) County's name here)* for employment and training positions.

All job openings will be listed with the local office of the Virginia Employment Commission. Persons qualified for the jobs listed should register at the following location:

*(Insert Name and Address of local VEC Office or Other Location if appropriate)*

Additionally, the following contracts and procurements will/may be made:

*Insert list of construction, non-construction, and service contracts to be procured during the project.*

*Insert list of construction subcontracts, major, specific equipment and general types of materials to be used during the project.*

*(Insert Subrecipient's name)* will, to the greatest extent feasible, use businesses located in and owned by persons residing in *(Insert the Local (Section 3) County's name here)*.

Any person residing or firm located in the above named localities may request to participate in procurement opportunities associated with this project by contacting the following person within ten (10) days of this notice.

*Name of Designated Official*

*Address*

*Subrecipient Phone Numbers*

*Virginia Relay: 711*

*Subrecipient Fax Number*

Written requests should include the name, address, product or service and phone number.

All above-referenced procurements will be made on a competitive basis. The names of businesses who respond to this notice will be included on procurement lists for this project. Names of job seekers will be given to contractors.



*[Instructions: Publish as a legal notice in a regional paper with a two-county wide circulation of 15,000.]*

(*Locality*) is preparing to carry out (*Name of Project*) through the use of Virginia Plumbing Rehab/Loan Program Funds. In the implementation of this project the following kinds of contracts will be issued and procurements made:

- a List of construction and service contracts*
- b. List of construction subcontracts, major, specific equipment and general types of materials to be used*

(*Locality*) is soliciting the participation of minority and female owned businesses, contractors and suppliers in carrying out this project. Such businesses may be included on appropriate bid and procurement lists by submitting a written request within ten (10) days of this notice. Requests should state the name, address, product or service, and how the firm qualifies as a minority or female owned business concern.

Such requests should be addressed to:

*Name of Designated Official*

*Address*

*Grantee's Phone Numbers*

*Virginia Relay: 711*

*Grantee's Fax Number*

All above referenced procurements will be made on a competitive basis.

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In the rehabilitation of housing using federal funds, Grantees and subrecipients must comply with federal lead-based paint protection, removal and preventative measures as set forth in CFR 570.608 and 24 CFR Part 35. The basic requirements, as applied by the Project Management Office of the Virginia Department of Housing and Community Development (DHCD), include: notification of occupants, contracting limits and prohibition requirements, training and certification of contractors and workers, inspection, use of interim measures, clearance testing by a licensed lead risk assessor, temporary relocation, and where needed, abatement of documented lead-based paint. The lead based paint requirements apply to all Indoor Plumbing Rehabilitation Loan Program (IPR) and Community Development Block Grant (CDBG) contracts. The lead paint regulations provide recipients with a choice of testing for lead paint or assuming that lead is present and using a series of practices known as “interim measures” or “interim controls.” It is strongly suggested that IPR and CDBG construction programs use the second option, assuming that lead is present, in all cases unless there is a child in the home with an elevated lead level in their blood. If this is the case, contact DHCD immediately for further instructions.

### **Critical Steps for Lead-Related Compliance**

All affected rehab programs shall carry out and document the following:

1. **Training of Risk Assessor:** All Risk Assessors operating in the IPR and CDBG construction programs must have received 40 hours of training and passed the accompanying tests administered by the Virginia Department of Professional and Occupational Regulation (DPOR) to receive licensure as a lead risk assessor.

2. **Notification:** All occupants of housing built prior to 1978 and rehabilitated under one of the programs as outlined above will receive two notices before rehabilitation begins: the *Notification of the Presumption of Lead Based Paint*, and a pamphlet, *Renovate Right*. Signed statements from the owner or tenant that the notices were received must be in the project files. Brochures are available by contacting your Community Representative or downloaded from the internet at [www.ohh.gov](http://www.ohh.gov). Additional notifications may be required by the contractor.

3. **Contracting requirements:** All rehab and construction contracts must contain prohibitions against use of lead-based paint. Further, only contractors certified by the Environmental Protection Agency as a firm and with a certified lead renovator may be determined as qualified to work on these federally-funded rehabs using interim measures. It is the responsibility of the certified lead renovator to be assigned to any pre-1978 job and document the training of all workers on site.

4. **Education of contractors and workers:** DHCD has provided a mechanism for assuring that contractors have the opportunity to receive free training in HUD’s lead safe work practices and reimbursement for EPA required *Renovation, Repair and*

*Painting* (RRP) training for one individual per contractor as a Certified Renovator. OSHA has additional requirements of which contractors must be aware. If your contractors and crews have not yet received this training and you are unsure of your next step, contact your Community Representative.

5. **Inspection:** DHCD is neither requiring nor encouraging a sampling of paint as part of the initial inspection process. Instead, DHCD requires the inspection to note whether there is a defective paint surface, friction surface, or impact surface present. If there are NO defective surfaces and no activity will trigger application of interim measures (note that in these types of rehab, this situation will be rare), the rehab proceeds with no special precautions. If there ARE defective surfaces, the contractor shall be required to use “interim controls” or “interim measures” to protect the occupants of the unit being rehabilitated, as well as the workers.

6. **Interim measures:** Interim measures are a series of steps meant to protect occupants and workers. These measures are called *standard treatments* when they are performed without the benefit of an evaluation such as a risk assessment or lead hazard screen. Items a. through e. shall be addressed:

- a. The work will be of a scope and scale that allow it to be done within the costlimits outlined elsewhere (base construction cost never exceeding \$25,000);
- b. The contractor or subcontractors awarded the job must be trained in EPA’s *Renovation, Repair and Painting* with dual certification as a firm and individual certified renovator, including but not limited to how to isolate work areas, and safe methods of paint removal;
- c. The areas in which potentially lead-disturbing work occur must be thoroughly cleaned;
- d. At the completion of the work, the risk assessor must complete appropriate dust and soil sampling, and the sampling reveal that lead – if present – is within acceptable limits. If not, the areas must be cleaned and additional samples taken until the levels are determined to be within acceptable limits; and
- e. Temporary relocation will be required in most cases.

7. **Temporary relocation:** All households benefiting from housing rehab will be temporarily relocated unless one or more of the following conditions exists:
- a. All household members are 62 years of age or older;
  - b. The house was constructed after 1978;
  - c. All interior work will be completed in one eight-hour period;
  - d. All interior work will be completed in five consecutive days and the bedrooms, bathroom, and kitchen can be isolated from the rehab work; or
  - e. Only exterior work will be done.

DHCD has made financial provision for accommodating the extra cost of temporary relocation. Thus, it is not acceptable to choose to not rehab a house, or to place the house lower on the priority list, because of the need to temporarily relocate the occupants. Further, a safe, decent and affordable temporary relocation

dwelling or unit must be made available. Referrals to charitable organizations, shelters, or the Department of Social Services are not acceptable methods of temporary relocation.

**8. Clearance Examination:** At the completion of lead hazard reduction activities and prior to occupants returning to their home after the rehab is completed, the Risk Assessor must complete a Clearance Examination. This involves a visual assessment, conducting dust wipe samples and soil samples and sending them to an accredited laboratory to determine the level of lead in the samples. If the level is too high, additional cleaning and sampling must occur until the lab report indicates that the lead levels are below the threshold determined to pose a hazard. Note that final payment may not be made to the contractor until the unit “passes” the Clearance Examination. Please note also that only the “successful” laboratory analysis is eligible as a cost “exception.” The cost of additional lab tests must be covered with other funds. A written Clearance Report and Lead Hazard Reduction Activity Notice must be submitted by the risk assessor to the program administrator within 15 days of completion of the Clearance Examination.

**9. Abatement:** In certain cases, lead paint abatement may be necessary particularly if there is a child in the home with elevated blood lead levels. If this is the case, the subrecipient or Grantee must contact DHCD immediately for further information, and assistance with determining the best approach.

## Definitions

The following lead-related definitions are applicable to all rehab projects:

**Defective or Failing Paint Surface** – any surface exhibiting one or more of the following characteristics:

- a. Paint that is peeling, chipping, pitting or otherwise unstable;
- b. Finishes on **friction and impact surfaces** that rub, bind or crush causing dust;
- c. Finished horizontal surfaces that are rough, pitted or porous;
- d. Unenclosed surfaces known to have been chewed by a child under the age of seven years old; or
- e. Bare soil onto which deteriorated paint might have fallen.

**Chewable Surface** – any chewable protruding painted surface up to five feet from the floor or ground, which is readily accessible to children under the age seven, e.g., protruding corners, window sills and frames, doors and frames, and other protruding woodwork.

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**NOTICE OF LEAD-BASED PAINT PRESUMPTION**

In compliance with Section 25.125 of the Department of Housing and Urban Development's (HUD) regulation 24 CFR 35, on \_\_\_\_\_ (date), \_\_\_\_\_ (locality or subrecipient) elected to presume that all painted surfaces are coated with lead-based paint. The nature and scope of the presumptions made is outlined below:

☐ The home was constructed prior to 1978.

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(If additional space is needed, attach pages to this form.)

\_\_\_\_\_  
(Printed name of recipient or common where notice shall be posted)

\_\_\_\_\_  
(Delivery date or date of posting and time)

\_\_\_\_\_  
(Address of property)

\_\_\_\_\_  
(Printed name of person delivering or posting this notice)

\_\_\_\_\_  
(Signature of recipient, if delivered)

\_\_\_\_\_  
(Signature of person delivering or posting this notice)

- ☐ Resident refused to accept and sign this notification.
- ☐ Resident was unavailable for signature; therefore, the notice was placed:
- ☐ Under the unit door;
  - ☐ In the occupant's mailbox;
  - ☐ Other: \_\_\_\_\_.

For more information about the presumptions made, please contact:

\_\_\_\_\_  
(Name of contact person)

\_\_\_\_\_  
(Telephone number)

\_\_\_\_\_  
(Address of contact person)

## LEAD HAZARD CONTROL VISUAL CLEARANCE FORM

Date: \_\_\_\_\_

Name of clearance examiner: \_\_\_\_\_

License number: \_\_\_\_\_

Name of property owner: \_\_\_\_\_

Property address: \_\_\_\_\_

Date cleanup completed: \_\_\_\_\_

Time cleanup completed: \_\_\_\_\_

Interim control contractor name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone number: (      ) \_\_\_\_\_

Check if repeat clearance examination: ☐

Room Identifier	List of all building components to be treated in each room	Work on each component completed (Yes or No)	Visible paint chips seen? (Yes or No)	Visible settled dust seen (Yes or No)	Additional work required?

Exterior soil

☐ Treated

☐ Not treated

If treated, is bare soil present?

☐ Yes

☐ No

Was contaminated soil removed?

☐ Yes

☐ No

Is additional soil treatment required?

☐ Yes

☐ No

NOTES:

Signature: \_\_\_\_\_



# LEAD HAZARD CONTROL CLEARANCE DUST SAMPLING FORM

(Single Surface Sampling)

Date: \_\_\_\_\_

Name of clearance examiner: \_\_\_\_\_

License number: \_\_\_\_\_

Name of property owner: \_\_\_\_\_

Property address: \_\_\_\_\_

Clearance categories:

1. Interior treatments without containment.
2. Interior treatments with containment
3. Exterior work on painted surfaces.
4. Routine maintenance.
5. Soil work.

Sample number	Room number or identifier	Surface types sampled (floor, interior window sill, window trough)	Clearance category number	Dimensions of sample area (inches)	Area (ft <sup>2</sup> ) (can be completed by lab)	Result of lab analysis (µg/ft <sup>2</sup> ) (can be completed by lab)	Pass or Fail

Total number of samples on this page: \_\_\_\_\_ Page \_\_\_\_\_ of \_\_\_\_\_

Date of sample collection: \_\_\_\_/\_\_\_\_/\_\_\_\_ Date shipped to lab: \_\_\_\_/\_\_\_\_/\_\_\_\_

Shipped by: \_\_\_\_\_  
(Signature)

Received by: \_\_\_\_\_  
(Signature)

# LEAD HAZARD CONTROL CLEARANCE SOIL SAMPLING FORM

(Composite Sampling)

Date: \_\_\_\_\_

Name of clearance examiner: \_\_\_\_\_

License number (if applicable): \_\_\_\_\_

Name of property owner: \_\_\_\_\_

Property address: \_\_\_\_\_

Clearance categories:

1. Interior treatments without containment.
2. Interior treatments with containment
3. Exterior work on painted surfaces.
4. Routine maintenance.
5. Soil work.

Sample number	Room number or identifiers included in sample	Dimensions of sample area in each room (inches x inches)	Total surface area samples (ft <sup>2</sup> )	Surface types sampled (smooth floors, carpeted floor, interior window sills, window troughs)	Clearance category number	Result of lab analysis (µg/ft <sup>2</sup> )	Pass or Fail
	_____ _____ _____ _____	____ x ____ ____ x ____ ____ x ____ ____ x ____					
	_____ _____ _____ _____	____ x ____ ____ x ____ ____ x ____ ____ x ____					
	_____ _____ _____ _____	____ x ____ ____ x ____ ____ x ____ ____ x ____					
	_____ _____ _____ _____	____ x ____ ____ x ____ ____ x ____ ____ x ____					

Total number of samples on this page: \_\_\_\_\_ Page \_\_\_\_\_ of \_\_\_\_\_

Date of sample collection: \_\_\_\_/\_\_\_\_/\_\_\_\_ Date shipped to lab: \_\_\_\_/\_\_\_\_/\_\_\_\_

Shipped by: \_\_\_\_\_

(Signature)

Received by: \_\_\_\_\_

(Signature)

**LEAD HAZARD CONTROL CLEARANCE SOIL SAMPLING FORM**  
(Composite Sampling Only)

Date: \_\_\_\_\_

Name of clearance examiner: \_\_\_\_\_

License number (if applicable): \_\_\_\_\_

Name of property owner: \_\_\_\_\_

Property address: \_\_\_\_\_

Sample number	Location	Bare or covered	Lab result (µg/g)

Sketch soil sampling plot plan. Collect only the top ½" of soil,

Total number of samples on this page: \_\_\_\_\_ Page \_\_\_\_\_ of \_\_\_\_\_

Date of sample collection: \_\_\_\_/\_\_\_\_/\_\_\_\_ Date shipped to lab: \_\_\_\_/\_\_\_\_/\_\_\_\_

Shipped by: \_\_\_\_\_  
(Signature)

Received by: \_\_\_\_\_  
(Signature)

## LEAD HAZARD REDUCTION COMPLETION NOTICE

### Summary Notice of Completion of Lead-Based Paint Hazard Reduction Activity

Address/location of property or structure this summary notice applies to:

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Summary of the hazard reduction activity:

Start and completion dates(s): \_\_\_\_\_

Activity locations and types: List at least the housing unit numbers and common areas (for multifamily housing, bare soil locations, dust-lead locations, and/or building components (including type of room or space, and the material underneath the paint), and types of hazard reduction activities performed at the locations listed:

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Date(s) of clearance testing and/or soil analyses: \_\_\_\_\_

Locations of building components with lead-based paint remaining in the rooms, spaces or areas where activities were conducted:

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Summary of results of clearance testing and soil analyses:

- (a) ☐ No clearance testing was performed.  
(b) ☐ Clearance testing showed clearance was achieved.  
(c) ☐ Clearance testing showed clearance was not achieved.

Contact person for more information about the hazard reduction:

Printed name: \_\_\_\_\_

Organization: \_\_\_\_\_

Street: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Phone number: \_\_\_\_\_ ( ) \_\_\_\_\_

Person who prepared this summary notice:

Printed name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Organization: \_\_\_\_\_

Street: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Phone number: \_\_\_\_\_ ( ) \_\_\_\_\_

## CONFIRMATION OF RECEIPT OF LEAD PAMPHLET

I have received a copy of the pamphlet, *Renovate Right*, informing me of the potential risk of the lead hazard exposure from renovation activity to be performed in my dwelling unit. I received this pamphlet before the work began.

\_\_\_\_\_  
Printed name of recipient

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of recipient

### Self-Certification Option (for tenant-occupied dwellings only)

*If the lead pamphlet was delivered by a tenant signature was not obtainable, you may check the appropriate box below.*

☐ **Refusal to sign** – I certify that I have made a good faith effort to deliver the pamphlet, *Renovate Right*, to the rental dwelling unit listed below at the date and time indicated and that the occupant refused to sign the confirmation of receipt. I further certify that I have left a copy of the pamphlet at the unit with the occupant.

☐ **Unavailable for signature** – I certify that I have made a good faith effort to deliver the pamphlet, *Renovate Right*, to the rental dwelling unit listed below that the occupant was unavailable to sign the confirmation of receipt. I further certify that I have left a copy of the pamphlet by sliding it under the door.

\_\_\_\_\_  
Printed name of person certifying  
lead pamphlet delivery

\_\_\_\_\_  
Attempted delivery date and time

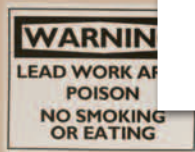
\_\_\_\_\_  
Signature of person certifying lead pamphlet delivery

\_\_\_\_\_  
\_\_\_\_\_  
Unit address

**Note Regarding Mailing Option** – As an alternative to delivery in person, you may mail the lead pamphlet to the owner and/or tenant. Pamphlet must be mailed at least 7 days before renovation (please document with a certificate of mailing from the post office).

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# THE LEAD-SAFE CERTIFIED GUIDE TO RENOVATE RIGHT



CAUTION CAUTION CAUTION CAUTION CAUTION CAUTION



1-800-424-LEAD (5323)  
[www.epa.gov/getleadsafe](http://www.epa.gov/getleadsafe)  
EPA-740-K-10-001  
April 2010



Important lead hazard information for  
families, child care providers and schools.



# IT'S THE LAW!

Federal law requires contractors that disturb painted surfaces in homes, child care facilities and schools, built before 1978 to be certified and follow specific work practices to prevent lead contamination. Always ask to see your contractor's certification.

Federal law requires that individuals receive certain information before renovating more than six square feet of painted surfaces in a room for interior projects or more than twenty square feet of painted surfaces for exterior projects or window replacement or demolition in housing, child care facilities and schools built before 1978.

- Homeowners and tenants: renovators must give you this pamphlet before starting work.
- Child care facilities, including preschools and kindergarten classrooms, and the families of children under six years of age that attend those facilities: renovators must provide a copy of this pamphlet to child care facilities and general renovation information to families whose children attend those facilities.





## WHO SHOULD READ THIS PAMPHLET?

### This pamphlet is for you if you:

- Reside in a home built before 1978.
- Own or operate a child care facility, including preschools and kindergarten classrooms, built before 1978, or
- Have a child under six years of age who attends a child care facility built before 1978.

### You will learn:

- Basic facts about lead and your health.
- How to choose a contractor, if you are a property owner.
- What tenants, and parents/guardians of a child in a child care facility or school should consider.
- How to prepare for the renovation or repair job.
- What to look for during the job and after the job is done.
- Where to get more information about lead.

### This pamphlet is not for:

- **Abatement projects.** Abatement is a set of activities aimed specifically at eliminating lead or lead hazards. EPA has regulations for certification and training of abatement professionals. If your goal is to eliminate lead or lead hazards, contact the National Lead Information Center at **1-800-424-LEAD (5323)** for more information.
- **“Do-it-yourself” projects.** If you plan to do renovation work yourself, this document is a good start, but you will need more information to complete the work safely. Call the National Lead Information Center at **1-800-424-LEAD (5323)** and ask for more information on how to work safely in a home with lead-based paint.
- **Contractor education.** Contractors who want information about working safely with lead should contact the National Lead Information Center at **1-800-424-LEAD (5323)** for information about courses and resources on lead-safe work practices.



## RENOVATING, REPAIRING, OR PAINTING?



- Is your home, your building, or the child care facility or school your children attend being renovated, repaired, or painted?
- Was your home, your building, or the child care facility or school where your children under six years of age attend built before 1978?

If the answer to these questions is YES, there are a few important things you need to know about lead-based paint.

This pamphlet provides basic facts about lead and information about lead safety when work is being done in your home, your building or the child care facility or school your children attend.

### The Facts About Lead

- Lead can affect children's brains and developing nervous systems, causing reduced IQ, learning disabilities, and behavioral problems. Lead is also harmful to adults.
- Lead in dust is the most common way people are exposed to lead. People can also get lead in their bodies from lead in soil or paint chips. Lead dust is often invisible.
- Lead-based paint was used in more than 38 million homes until it was banned for residential use in 1978.
- Projects that disturb painted surfaces can create dust and endanger you and your family. Don't let this happen to you. Follow the practices described in this pamphlet to protect you and your family.

## LEAD AND YOUR HEALTH

### Lead is especially dangerous to children under six years of age.

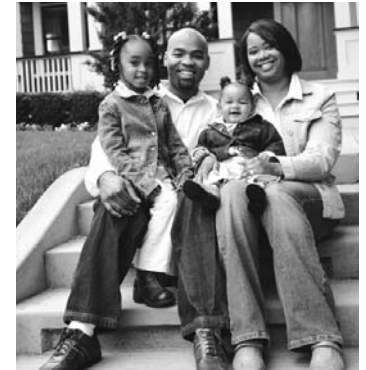
Lead can affect children's brains and developing nervous systems, causing:

- Reduced IQ and learning disabilities.
- Behavior problems.

### Even children who appear healthy can have dangerous levels of lead in their bodies.

Lead is also harmful to adults. In adults, low levels of lead can pose many dangers, including:

- High blood pressure and hypertension.
- Pregnant women exposed to lead can transfer lead to their fetuses. Lead gets into the body when it is swallowed or inhaled.
- People, especially children, can swallow lead dust as they eat, play, and do other normal hand-to-mouth activities.
- People may also breathe in lead dust or fumes if they disturb lead-based paint. People who sand, scrape, burn, brush or blast or otherwise disturb lead-based paint risk unsafe exposure to lead.



### What should I do if I am concerned about my family's exposure to lead?

- Call your local health department for advice on reducing and eliminating exposures to lead inside and outside your home, child care facility or school.
- Always use lead-safe work practices when renovation or repair will disturb painted surfaces.
- A blood test is the only way to find out if you or a family member already has lead poisoning. Call your doctor or local health department to arrange for a blood test.

For more information about the health effects of exposure to lead, visit the EPA lead website at [www.epa.gov/lead/pubs/leadinfo.htm](http://www.epa.gov/lead/pubs/leadinfo.htm) or call 1-800-424-LEAD (5323).

### There are other things you can do to protect your family every day.

- Regularly clean floors, window sills, and other surfaces.
- Wash children's hands, bottles, pacifiers, and toys often.
- Make sure children eat a healthy, nutritious diet consistent with the USDA's dietary guidelines, that helps protect children from the effects of lead.
- Wipe off shoes before entering house.

## WHERE DOES THE LEAD COME FROM?

### Dust is the main problem.

The most common way to get lead in the body is from dust. Lead dust comes from deteriorating lead-based paint and lead-contaminated soil that gets tracked into your home. This dust may accumulate to unsafe levels. Then, normal hand-to-mouth activities, like playing and eating (especially in young children), move that dust from surfaces like floors and window sills into the body.

### Home renovation creates dust.

Common renovation activities like sanding, cutting, and demolition can create hazardous lead dust and chips.

### Proper work practices protect you from the dust.

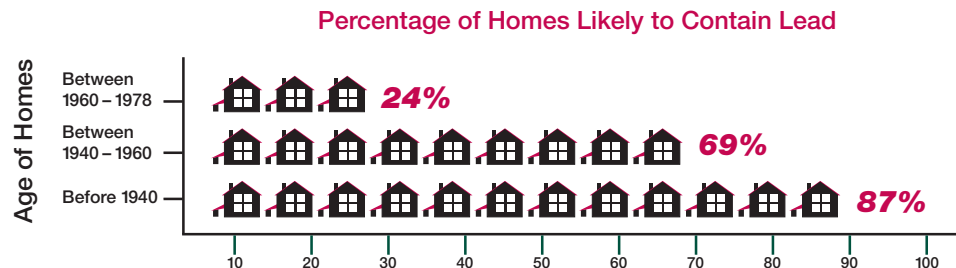
The key to protecting yourself and your family during a renovation, repair or painting job is to use lead-safe work practices such as containing dust inside the work area, using dust-minimizing work methods, and conducting a careful cleanup, as described in this pamphlet.

### Other sources of lead.

Remember, lead can also come from outside soil, your water, or household items (such as lead-glazed pottery and lead crystal). Contact the National Lead Information Center at 1-800-424-LEAD (5323) for more information on these sources.



## CHECKING YOUR HOME FOR LEAD-BASED PAINT



### Older homes, child care facilities, and schools are more likely to contain lead-based paint.

Homes may be single-family homes or apartments. They may be private, government-assisted, or public housing. Schools are preschools and kindergarten classrooms. They may be urban, suburban, or rural.

### You have the following options:

#### You may decide to assume your home, child care facility, or school contains lead.

Especially in older homes and buildings, you may simply want to assume lead-based paint is present and follow the lead-safe work practices described in this brochure during the renovation, repair, or painting job.

#### You can hire a certified professional to check for lead-based paint.

These professionals are certified risk assessors or inspectors, and can determine if your home has lead or lead hazards.

- A certified inspector or risk assessor can conduct an inspection telling you whether your home, or a portion of your home, has lead-based paint and where it is located. This will tell you the areas in your home where lead-safe work practices are needed.
- A certified risk assessor can conduct a risk assessment telling you if your home currently has any lead hazards from lead in paint, dust, or soil. The risk assessor can also tell you what actions to take to address any hazards.
- For help finding a certified risk assessor or inspector, call the National Lead Information Center at 1-800-424-LEAD (5323).

You may also have a certified renovator test the surfaces or components being disturbed for lead using a lead test kit. Test kits must be EPA-recognized and are available at hardware stores. They include detailed instructions for their use.

## FOR PROPERTY OWNERS

### **You have the ultimate responsibility for the safety of your family, tenants, or children in your care.**

This means properly preparing for the renovation and keeping persons out of the work area (see p. 8). It also means ensuring the contractor uses lead-safe work practices.

Federal law requires that contractors performing renovation, repair and painting projects that disturb painted surfaces in homes, child care facilities, and schools built before 1978 be certified and follow specific work practices to prevent lead contamination.

### **Make sure your contractor is certified, and can explain clearly the details of the job and how the contractor will minimize lead hazards during the work.**

- You can verify that a contractor is certified by checking EPA's website at [epa.gov/getleadsafe](http://epa.gov/getleadsafe) or by calling the National Lead Information Center at 1-800-424-LEAD (5323). You can also ask to see a copy of the contractor's firm certification.
- Ask if the contractor is trained to perform lead-safe work practices and to see a copy of their training certificate.
- Ask them what lead-safe methods they will use to set up and perform the job in your home, child care facility or school.
- Ask for references from at least three recent jobs involving homes built before 1978, and speak to each personally.

### **Always make sure the contract is clear about how the work will be set up, performed, and cleaned.**

- Share the results of any previous lead tests with the contractor.
- You should specify in the contract that they follow the work practices described on pages 9 and 10 of this brochure.
- The contract should specify which parts of your home are part of the work area and specify which lead-safe work practices will be used in those areas. Remember, your contractor should confine dust and debris to the work area and should minimize spreading that dust to other areas of the home.
- The contract should also specify that the contractor will clean the work area, verify that it was cleaned adequately, and re-clean it if necessary.

### **If you think a worker is not doing what he is supposed to do or is doing something that is unsafe, you should:**

- Direct the contractor to comply with regulatory and contract requirements.
- Call your local health or building department, or
- Call EPA's hotline 1-800-424-LEAD (5323).

If your property receives housing assistance from HUD (or a state or local agency that uses HUD funds), you must follow the requirements of HUD's Lead-Safe Housing Rule and the ones described in this pamphlet.

## FOR TENANTS AND FAMILIES OF CHILDREN UNDER SIX YEARS OF AGE IN CHILD CARE FACILITIES AND SCHOOLS

### **You play an important role ensuring the ultimate safety of your family.**

This means properly preparing for the renovation and staying out of the work area (see p. 8).

Federal law requires that contractors performing renovation, repair and painting projects that disturb painted surfaces in homes built before 1978 and in child care facilities and schools built before 1978, that a child under six years of age visits regularly, to be certified and follow specific work practices to prevent lead contamination.

The law requires anyone hired to renovate, repair, or do painting preparation work on a property built before 1978 to follow the steps described on pages 9 and 10 unless the area where the work will be done contains no lead-based paint.

### **If you think a worker is not doing what he is supposed to do or is doing something that is unsafe, you should:**

- Contact your landlord.
- Call your local health or building department, or
- Call EPA's hotline 1-800-424-LEAD (5323).

If you are concerned about lead hazards left behind after the job is over, you can check the work yourself (see page 10).





## PREPARING FOR A RENOVATION

### The work areas should not be accessible to occupants while the work occurs.

The rooms or areas where work is being done may need to be blocked off or sealed with plastic sheeting to contain any dust that is generated. Therefore, the contained area may not be available to you until the work in that room or area is complete, cleaned thoroughly, and the containment has been removed. Because you may not have access to some areas during the renovation, you should plan accordingly.

### You may need:

- Alternative bedroom, bathroom, and kitchen arrangements if work is occurring in those areas of your home.
- A safe place for pets because they too can be poisoned by lead and can track lead dust into other areas of the home.
- A separate pathway for the contractor from the work area to the outside in order to bring materials in and out of the home. Ideally, it should not be through the same entrance that your family uses.
- A place to store your furniture. All furniture and belongings may have to be moved from the work area while the work is being done. Items that can't be moved, such as cabinets, should be wrapped in plastic.
- To turn off forced-air heating and air conditioning systems while the work is being done. This prevents dust from spreading through vents from the work area to the rest of your home. Consider how this may affect your living arrangements.

You may even want to move out of your home temporarily while all or part of the work is being done.

Child care facilities and schools may want to consider alternative accommodations for children and access to necessary facilities.



## DURING THE WORK

Federal law requires contractors that are hired to perform renovation, repair and painting projects in homes, child care facilities, and schools built before 1978 that disturb painted surfaces to be certified and follow specific work practices to prevent lead contamination.

The work practices the contractor must follow include these three simple procedures, described below:

**1. Contain the work area.** The area must be contained so that dust and debris do not escape from that area. Warning signs must be put up and plastic or other impermeable material and tape must be used as appropriate to:

- Cover the floors and any furniture that cannot be moved.
- Seal off doors and heating and cooling system vents.

These will help prevent dust or debris from getting outside the work area.

**2. Avoid renovation methods that generate large amounts of lead-contaminated dust.** Some methods generate so much lead-contaminated dust that their use is prohibited. They are:

- Open flame burning or torching.
- Sanding, grinding, planing, needle gunning, or blasting with power tools and equipment not equipped with a shroud and HEPA vacuum attachment.
- Using a heat gun at temperatures greater than 1100°F.



There is no way to eliminate dust, but some renovation methods make less dust than others. Contractors may choose to use various methods to minimize dust generation, including using water to mist areas before sanding or scraping; scoring paint before separating components; and prying and pulling apart components instead of breaking them.

**3. Clean up thoroughly.** The work area should be cleaned up daily to keep it as clean as possible. When all the work is done, the area must be cleaned up using special cleaning methods before taking down any plastic that isolates the work area from the rest of the home. The special cleaning methods should include:

- Using a HEPA vacuum to clean up dust and debris on all surfaces, followed by
- Wet wiping and wet mopping with plenty of rinse water.

When the final cleaning is done, look around. There should be no dust, paint chips, or debris in the work area. If you see any dust, paint chips, or debris, the area must be re-cleaned.

## FOR PROPERTY OWNERS: AFTER THE WORK IS DONE

When all the work is finished, you will want to know if your home, child care facility, or school has been cleaned up properly. Here are some ways to check.

Ask about your contractor's final cleanup check. Remember, lead dust is often invisible to the naked eye. It may still be present even if you cannot see it. The contractor must use disposable cleaning cloths to wipe the floor of the work area and compare them to a cleaning verification card to determine if the work area was adequately cleaned.

To order a cleaning verification card and detailed instructions visit the EPA lead website at [www.epa.gov/lead](http://www.epa.gov/lead) or contact the National Lead Information Center at **1-800-424-LEAD (5323)** or visit their website at [www.epa.gov/lead/nlic.htm](http://www.epa.gov/lead/nlic.htm).

You also may choose to have a lead-dust test. Lead-dust tests are wipe samples sent to a laboratory for analysis.

- You should specify in your contract that a lead-dust test will be done. In this case, make it clear who will do the testing.
- Testing should be done by a lead professional.

If you choose to do the testing, some EPA-recognized lead laboratories will send you a kit that allows you to collect samples and send them back to the lab for analysis.

Contact the National Lead Information Center at **1-800-424-LEAD (5323)** for lists of qualified professionals and EPA-recognized lead labs.

If your home, child care facility, or school fails the dust test, the area should be re-cleaned and tested again.

Where the project is done by contract, it is a good idea to specify in the contract that the contractor is responsible for re-cleaning if the home, child care facility, or school fails the test.



## FOR ADDITIONAL INFORMATION

You may need additional information on how to protect yourself and your children while a job is going on in your home, your building, or child care facility.

The National Lead Information Center at **1-800-424-LEAD (5323)** or [www.epa.gov/lead/nlic.htm](http://www.epa.gov/lead/nlic.htm) can tell you how to contact your state, local, and/or tribal programs or get general information about lead poisoning prevention.

- State and tribal lead poisoning prevention or environmental protection programs can provide information about lead regulations and potential sources of financial aid for reducing lead hazards. If your state or local government has requirements more stringent than those described in this pamphlet, you must follow those requirements.
- Local building code officials can tell you the regulations that apply to the renovation work that you are planning.
- State, county, and local health departments can provide information about local programs, including assistance for lead-poisoned children and advice on ways to get your home checked for lead.

The National Lead Information Center can also provide a variety of resource materials, including the following guides to lead-safe work practices. Many of these materials are also available at [www.epa.gov/lead/pubs/brochure.htm](http://www.epa.gov/lead/pubs/brochure.htm).

- Steps to Lead Safe Renovation, Repair and Painting.
- Protect Your Family from Lead in Your Home
- Lead in Your Home: A Parent's Reference Guide



For the hearing impaired, call the Federal Information Relay Service at **1-800-877-8339** to access any of the phone numbers in this brochure.

## EPA CONTACTS

### EPA Regional Offices

EPA addresses residential lead hazards through several different regulations. EPA requires training and certification for conducting abatement and renovations, education about hazards associated with renovations, disclosure about known lead paint and lead hazards in housing, and sets lead-paint hazard standards.

Your Regional EPA Office can provide further information regarding lead safety and lead protection programs at [epa.gov/lead](https://www.epa.gov/lead).

#### Region 1

(Connecticut, Massachusetts, Maine, New Hampshire, Rhode Island, Vermont)  
Regional Lead Contact  
U.S. EPA Region 1  
Suite 1100  
One Congress Street  
Boston, MA 02114-2023  
(888) 372-7341

#### Region 2

(New Jersey, New York, Puerto Rico, Virgin Islands)  
Regional Lead Contact  
U.S. EPA Region 2  
2890 Woodbridge Avenue  
Building 205, Mail Stop 225  
Edison, NJ 08837-3679  
(732) 321-6671

#### Region 3

(Delaware, Maryland, Pennsylvania, Virginia, Washington, DC, West Virginia)  
Regional Lead Contact  
U.S. EPA Region 3  
1650 Arch Street  
Philadelphia, PA 19103-2029  
(215) 814-5000

#### Region 4

(Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee)  
Regional Lead Contact  
U.S. EPA Region 4  
61 Forsyth Street, SW  
Atlanta, GA 30303-8960  
(404) 562-9900

#### Region 5

(Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin)  
Regional Lead Contact  
U.S. EPA Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604-3507  
(312) 886-6003

#### Region 6

(Arkansas, Louisiana, New Mexico, Oklahoma, Texas)  
Regional Lead Contact  
U.S. EPA Region 6  
1445 Ross Avenue,  
12th Floor  
Dallas, TX 75202-2733  
(214) 665-6444

#### Region 7

(Iowa, Kansas, Missouri, Nebraska)  
Regional Lead Contact  
U.S. EPA Region 7  
901 N. 5th Street  
Kansas City, KS 66101  
(913) 551-7003

#### Region 8

(Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming)  
Regional Lead Contact  
U.S. EPA Region 8  
1595 Wynkoop Street  
Denver, CO 80202  
(303) 312-6312

#### Region 9

(Arizona, California, Hawaii, Nevada)  
Regional Lead Contact  
U.S. Region 9  
75 Hawthorne Street  
San Francisco, CA 94105  
(415) 947-8021

#### Region 10

(Alaska, Idaho, Oregon, Washington)  
Regional Lead Contact  
U.S. EPA Region 10  
1200 Sixth Avenue  
Seattle, WA 98101-1128  
(206) 553-1200

## OTHER FEDERAL AGENCIES

### CPSC

The Consumer Product Safety Commission (CPSC) protects the public from the unreasonable risk of injury or death from 15,000 types of consumer products under the agency's jurisdiction. CPSC warns the public and private sectors to reduce exposure to lead and increase consumer awareness. Contact CPSC for further information regarding regulations and consumer product safety.

### CPSC

4330 East West Highway  
Bethesda, MD 20814  
Hotline 1-(800) 638-2772  
[www.cpsc.gov](http://www.cpsc.gov)

### CDC Childhood Lead Poisoning Prevention Branch

The Centers for Disease Control and Prevention (CDC) assists state and local childhood lead poisoning prevention programs to provide a scientific basis for policy decisions, and to ensure that health issues are addressed in decisions about housing and the environment. Contact CDC Childhood Lead Poisoning Prevention Program for additional materials and links on the topic of lead.

### CDC Childhood Lead Poisoning Prevention Branch

4770 Buford Highway, MS F-40  
Atlanta, GA 30341  
(770) 488-3300  
[www.cdc.gov/nceh/lead](http://www.cdc.gov/nceh/lead)

### HUD Office of Healthy Homes and Lead Hazard Control

The Department of Housing and Urban Development (HUD) provides funds to state and local governments to develop cost-effective ways to reduce lead-based paint hazards in America's privately-owned low-income housing. In addition, the office enforces the rule on disclosure of known lead paint and lead hazards in housing, and HUD's lead safety regulations in HUD-assisted housing, provides public outreach and technical assistance, and conducts technical studies to help protect children and their families from health and safety hazards in the home. Contact the HUD Office of Healthy Homes and Lead Hazard Control for information on lead regulations, outreach efforts, and lead hazard control research and outreach grant programs.

### U.S. Department of Housing and Urban Development

Office of Healthy Homes and Lead Hazard Control  
451 Seventh Street, SW, Room 8236  
Washington, DC 20410-3000  
HUD's Lead Regulations Hotline  
(202) 402-7698  
[www.hud.gov/offices/lead/](http://www.hud.gov/offices/lead/)



## SAMPLE PRE-RENOVATION FORM

This sample form may be used by renovation firms to document compliance with the Federal pre-renovation education and renovation, repair, and painting regulations.

### Occupant Confirmation

Pamphlet Receipt

- ☐ I have received a copy of the lead hazard information pamphlet informing me of the potential risk of the lead hazard exposure from renovation activity to be performed in my dwelling unit. I received this pamphlet before the work began.

\_\_\_\_\_  
Printed Name of Owner-occupant

\_\_\_\_\_  
Signature of Owner-occupant

\_\_\_\_\_  
Signature Date

### Renovator's Self Certification Option (for tenant-occupied dwellings only)

Instructions to Renovator: If the lead hazard information pamphlet was delivered but a tenant signature was not obtainable, you may check the appropriate box below.

- ☐ **Declined** – I certify that I have made a good faith effort to deliver the lead hazard information pamphlet to the rental dwelling unit listed below at the date and time indicated and that the occupant declined to sign the confirmation of receipt. I further certify that I have left a copy of the pamphlet at the unit with the occupant.
- ☐ **Unavailable for signature** – I certify that I have made a good faith effort to deliver the lead hazard information pamphlet to the rental dwelling unit listed below and that the occupant was unavailable to sign the confirmation of receipt. I further certify that I have left a copy of the pamphlet at the unit by sliding it under the door or by (fill in how pamphlet was left).

\_\_\_\_\_  
Printed Name of Person Certifying Delivery

\_\_\_\_\_  
Attempted Delivery Date

\_\_\_\_\_  
Signature of Person Certifying Lead Pamphlet Delivery

\_\_\_\_\_  
Unit Address

**Note Regarding Mailing Option** — As an alternative to delivery in person, you may mail the lead hazard information pamphlet to the owner and/or tenant. Pamphlet must be mailed at least seven days before renovation. Mailing must be documented by a certificate of mailing from the post office.





## SUBRECIPIENTS' CONTACT LIST

Subrecipient's Name	Localities Represented	Contact	Telephone Number	FAX Number	E-mail Address
<b>Albemarle Housing Improvement Program</b>	Albemarle County Greene County	Jane Andrews	434-817-2447 x22	434-973-3730	<a href="mailto:jandrews@ahipva.org">jandrews@ahipva.org</a>
<b>Alleghany County</b>	Alleghany County	Melissa Munsey	540-863-6600	540-863-6606	<a href="mailto:mmunsey@co.alleghany.va.us">mmunsey@co.alleghany.va.us</a>
<b>Appalachian County Action and Development Agency</b>	Scott County Wise County	Ola Bellamy	276-386-6441	276-386-6523	<a href="mailto:obellamy@appcaa.org">obellamy@appcaa.org</a>
<b>Bay Aging, Inc</b>	Essex County Gloucester County King & Queen County King William Co Mathews County Middlesex Co Northumberland County Richmond County Westmoreland County	Pat Frere Robin Jones	804-758-2386 804-758-1260 x110	804-758-5773	<a href="mailto:rjones@bayaging.org">rjones@bayaging.org</a>
<b>Central Virginia Housing Coalition</b>	Spotsylvania County Stafford County	Gary W. Parker	540-604-9943 x212	540-604-9949	<a href="mailto:gparker@centralvahousing.org">gparker@centralvahousing.org</a>
<b>Charles City County</b>	Charles City County	Rachel Greenhow	804-829-9296	804-829-5819	<a href="mailto:rgreenhow@co.charles-city.va.us">rgreenhow@co.charles-city.va.us</a>
<b>Clinch Valley CAA</b>	Tazewell County	Doug Sheets	276-988-5583	276-988-4041	<a href="mailto:DSheets@ClinchValleyCAA.org">DSheets@ClinchValleyCAA.org</a>
<b>Eastern Shore of Virginia Housing Alliance</b>	Accomack County Northampton County	John Aigner David Annis	757-787-2936	757-787-4221	<a href="mailto:jaigner@a-npdc.org">jaigner@a-npdc.org</a> <a href="mailto:dannis@a-npdc.org">dannis@a-npdc.org</a>
<b>Fauquier Housing Corporation</b>	Fauquier County Page County	John Reid Tish Robinson	540-341-2805	540-347-9811	<a href="mailto:jreid@gmmlc.com">jreid@gmmlc.com</a> <a href="mailto:trobinson.fhc@gmail.com">trobinson.fhc@gmail.com</a>
<b>Fluvanna/Louisa Housing Foundation</b>	Fluvanna County Louisa County	Howard Evergreen	540-967-3483	540-967-3488	<a href="mailto:hevergreen@cs.com">hevergreen@cs.com</a>

## SUBRECIPIENTS' CONTACT LIST

Subrecipient's Name	Localities Represented	Contact	Telephone Number	FAX Number	E-mail Address
Giles County	Giles County				
Goochland County Free Clinic	Goochland County	Heather Salmon Carol Dunlap	804-556-6260	804-556-6208	<a href="mailto:hsalmon@co.goochland.va.us">hsalmon@co.goochland.va.us</a> <a href="mailto:cdunlap@co.goochland.va.us">cdunlap@co.goochland.va.us</a>
Housing Partnerships, Inc.	Hanover County New Kent County York County	Abbitt Woodlall Barbara Coughlan	757-221-0225	757-221-0444	<a href="mailto:awoodall@housingpartnerships.org">awoodall@housingpartnerships.org</a> <a href="mailto:bcoughlan@housingpartnerships.org">bcoughlan@housingpartnerships.org</a>
Lancaster County	Lancaster County	Tina Reamer	804-462-5902	804-462-0031	<a href="mailto:treamer@lancova.com">treamer@lancova.com</a>
Lee County RHA	Lee County	Scott Napier	276-346-3910	276-346-3124	<a href="mailto:lcrha@verizon.net">lcrha@verizon.net</a>
Lynchburg Community Action Group	Amherst County Appomattox County Bedford County Campbell County	Denise Crews	434-846-2778	434-845-1547	<a href="mailto:dcrews@lyncag.org">dcrews@lyncag.org</a>
Mount Rogers PDC	Smyth County Bland County	Greg Vannoy	276-783-5103	276-783-6949	<a href="mailto:gvannoy@mrpdc.org">gvannoy@mrpdc.org</a>
Nelson County Community Development Foundation	Nelson County	George H. Krieger	434-263-8074	434-263-8537	<a href="mailto:gknccdf@aol.com">gknccdf@aol.com</a>
PEOPLE, Inc.	Washington County	Mike Rush	276-623-9000	276-628-2931	<a href="mailto:mrush@peopleinc.net">mrush@peopleinc.net</a>
PEOPLE, Inc-NSV	Page County Shenandoah County Warren County	Gwendolyn Puryear	540-459-9096	540-459-8732	<a href="mailto:gpuryear@peopleinc.net">gpuryear@peopleinc.net</a>
Pittsylvania County Community Action Agency	Pittsylvania County	Everlena Ross	434-432-8024	434-432-3729	<a href="mailto:eross@pccainc.org">eross@pccainc.org</a>
Rapidan Better Housing	Culpeper County Madison County Orange County Rappahannock County	Janet Herr	540-341-2805	540-347-9811	<a href="mailto:Jherr.rbh@gmail.com">Jherr.rbh@gmail.com</a>

## SUBRECIPIENTS' CONTACT LIST

Subrecipient's Name	Localities Represented	Contact	Telephone Number	FAX Number	E-mail Address
<b>RoofTop Community Action Program</b>	Carroll County Grayson County	Opal Kegley	276-236-7131 x223	276-236-7134	<a href="mailto:okegley@rooftopofvirginia.com">okegley@rooftopofvirginia.com</a>
<b>Southeast RCAP</b>	Buckingham Co Caroline County Floyd County Montgomery County Prince George County Pulaski County Wythe County	Beth Pusha Hope Cupit	540-580-1184	540-342-2932	<a href="mailto:bpusha@sercap.org">bpusha@sercap.org</a>
<b>Southside Outreach Group</b>	Amelia County Nottoway County Prince Edward County	Earl Howerton, Sr. Earlene Powell	434-572-9556	434-572-6762	<a href="mailto:Outreach01@embarqmail.com">Outreach01@embarqmail.com</a>
<b>Southside PDC</b>	Brunswick County Mecklenburg County	Sara Fulks	434-447-7101	434-447-7104	<a href="mailto:sfulks@southsidepdc.com">sfulks@southsidepdc.com</a>
<b>STEP</b>	Patrick County	Michael Smith	540-483-5142 x3026	540-483-2506	<a href="mailto:Michael.smith@stepincva.com">Michael.smith@stepincva.com</a>
<b>Sussex County</b>	Sussex County	Brenda Drew	804-834-1302	804-834-1317	<a href="mailto:bhdrew@sussexcountyva.com">bhdrew@sussexcountyva.com</a>
<b>Telamon Corporation</b>	Lunenburg County	Carolyn Walker	434-447-7134	434-447-5877	<a href="mailto:cwalker@telamon.org">cwalker@telamon.org</a>
<b>Total Action Against poverty</b>	Bath County Botetourt County Craig County Roanoke County Rockbridge County	Mike Thompson	540-463-9527	540-463-1588	<a href="mailto:Mike.thompson@taproanoke.org">Mike.thompson@taproanoke.org</a>
<b>Tri-County Community Action Agency</b>	Charlotte County Halifax County	Leroy Childress	434-575-7916	434-575-6060	<a href="mailto:leroynsu@ntelos.net">leroynsu@ntelos.net</a>
<b>Waynesboro RHA</b>	Augusta County Highland County City of Covington City of Waynesboro	Tom Carlsson	540-946-9230	540-946-9233	<a href="mailto:t_carlsson@wrha.org">t_carlsson@wrha.org</a>



**PROGRAM ADMINISTRATION AND ASSISTANCE  
OFFICE CONTACT LIST**

<b>Ambrose, Denise</b> , Associate Director	804-371-7029	<a href="mailto:denise.ambrose@dhcd.virginia.gov">denise.ambrose@dhcd.virginia.gov</a>
<b>Miles, Cheri</b> , Program Manager	804-371-7114	<a href="mailto:cheri.miles@dhcd.virginia.gov">cheri.miles@dhcd.virginia.gov</a>
<b>Peerman, Joanne</b> , Program Manager	804-371-7071	<a href="mailto:joanne.peerman@dhcd.virginia.gov">joanne.peerman@dhcd.virginia.gov</a>
<b>Wallace, Jim</b> , Program Manager	276-676-5471x1	<a href="mailto:jimmy.wallace@dhcd.virginia.gov">jimmy.wallace@dhcd.virginia.gov</a>
<b>Adams, David</b> , Community Development Specialist	276-676-5471x5	<a href="mailto:david.adams@dhcd.virginia.gov">david.adams@dhcd.virginia.gov</a>
<b>Blevins, Joe</b> , Community Development Specialist	276-676-5471x3	<a href="mailto:joe.blevins@dhcd.virginia.gov">joe.blevins@dhcd.virginia.gov</a>
<b>Boehringer, Elizabeth</b> , Community Development Specialist	804-371-7065	<a href="mailto:elizabeth.boehringer@dhcd.virginia.gov">elizabeth.boehringer@dhcd.virginia.gov</a>
<b>Canada, Star</b> , Community Development Specialist	804-371-7007	<a href="mailto:star.canada@dhcd.virginia.gov">star.canada@dhcd.virginia.gov</a>
<b>Coleman, Beverley</b> , Community Development Specialist	804-371-7076	<a href="mailto:beverley.coleman@dhcd.virginia.gov">beverley.coleman@dhcd.virginia.gov</a>
<b>Ellis, Doug</b> , Community Development Specialist	804-371-7115	<a href="mailto:douglas.ellis@dhcd.virginia.gov">douglas.ellis@dhcd.virginia.gov</a>
<b>Meyer, Kyle</b> , Community Development Specialist	804-786-1161	<a href="mailto:kyle.meyer@dhcd.virginia.gov">kyle.meyer@dhcd.virginia.gov</a>
<b>Rumley, Joy</b> , Community Development Specialist	276-676-5471x4	<a href="mailto:joy.rumley@dhcd.virginia.gov">joy.rumley@dhcd.virginia.gov</a>
<b>Sams, Jason</b> , Community Development Specialist	804-371-7114	<a href="mailto:jason.sams@dhcd.virginia.gov">jason.sams@dhcd.virginia.gov</a>
<b>Carlisle, Jenny</b> , Program Support	276-676-5471x2	<a href="mailto:jenny.carlisle@dhcd.virginia.gov">jenny.carlisle@dhcd.virginia.gov</a>
<b>Johnson, Keira</b> , Community Development Program Specialist	804-786-1150	<a href="mailto:keira.johnson@dhcd.virginia.gov">keira.johnson@dhcd.virginia.gov</a>

**Richmond Office**

**600 East Main Street, Suite 300  
Richmond, Virginia 23219  
804-371-7061**

**Abingdon Field Office**

**468 East Main Street, Suite 300B  
Abingdon, Virginia 24210  
276-676-5471**

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**Attachment**

**34**

***WHAT YOU NEED TO KNOW ABOUT  
HOUSING REHABILITATION BROCHURE***

Subrecipients may adapt the following brochure to comply, in part, with the requirement that written information which describes the proposed housing project must be provided to residents of the project area. Call your Community Development Specialist if you would like an electronic version in Microsoft Office Publisher 2003.



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# What You Need to Know About Housing Rehabilitation



## Facts about the Indoor Plumbing Rehabilitation Loan Program

Questions should be directed to:

Prepared by  
Program Administration and Assistance Office  
Department of Housing and Community Development  
600 East Main Street, Suite 300 • Richmond, Virginia 23219

**What is this?** The Virginia Department of Housing and Community Development (DHCD)'s Indoor Plumbing Rehabilitation Loan Program (IPR) provides 0% loans to low- and moderate-income (LMI) homeowners whose houses have no commode and the occupants use an outdoor privy *or* have a "failed septic system." A failed system is either a malfunctioning system in need of repair to the absorption system, deemed a health hazard by the Virginia Department of Health (VDH) due to the presence of sewage on the ground *or* a malfunctioning system in need of a VDH permit for repair to the absorption system.

**How can this help you?** The state's definition of "safe, decent, and affordable housing" includes making sure all homes meet guidelines known as Housing Quality Standards (sometimes called HQS). Therefore, the IPR program also provides for the general rehabilitation of houses, and for accessibility improvements or relief from overcrowded conditions, as needed, once the primary income, ownership and failed plumbing criteria are met.

**How do you sign up for this?** You will need to fill out an application form. It will ask you to provide information about who all lives in your house, their ages, and if they have any special housing needs. You will need to prove you are the property owner or have life estate rights to the house. Finally, you will have to provide information about the income of everyone in your household over 17 years of age.

**What is the definition of "low- and moderate-income"?** Your household's total income must be equal to or less than the figures in the chart below in order for you to be able to participate in this program. The "Housing Program Administrator" is a person in your community working with your county and DHCD to get the loan funds. This person will need to verify your household income so you will need to allow them to receive or see official paperwork, such as pay stubs, bank statements, and benefits. ***All applications and attached paperwork will be kept confidential and secured!*** The dollar amounts in this chart and the rules the Housing Program Administrator follows are set by the federal government.

Size of Household	Income
1	
2	
3	
4	
5	
6	
7	
8	

**What happens after the application form is complete?** Applications are reviewed by a Housing Rehabilitation Board, which is made up of local people from your county. A ranking system is used to decide who can receive housing assistance with this

they usually try to help the ones with the most need first. The ranking system and other information on the program are available in a document called "Project Management Plan". If you ask the housing program administrator for a copy, one will be given to you.

After your application is approved by the Housing Rehabilitation Board someone hired by your community called a "Rehab Specialist" will visit your home to see what repairs need to be made. The Rehab Specialist will be comparing your home to the HQS, and will make a list of needed repairs as well as an estimate of what those repairs may cost. You will need to allow this person to come into your home and look in all rooms, as well as the crawlspace or basement and attic.

The Rehab Specialist will also be responsible for inspecting the contractor's work.

#### **What kind of repairs are typical?**

Housing rehabilitation is not "remodeling". Instead, it is making improvements to your house that focus on electrical, heating, plumbing, foundations, windows, and doors. Work can also be done to help make the home easier to live in for those with physical disabilities, if this applies to someone in your family.

**How much does it cost to make repairs?** The IPR program has maximum amounts that can be spent on each house depending on what work

is needed. Help from our program is limited to this amount for every family who participates. Each house is put out to bid using the same process, and contractors submit their costs to do the work. The Rehab Specialist and Housing Review Board will decide which contractor to use if more than one bid is received. No contractor can be hired to do the work unless the cost limits are followed. The housing program administrator will explain the cost limits to you.

**Will it cost me anything?** The rehabilitation work will be done using a 0% interest loan. The Housing Program Administrator will use your income information to find out your ability to repay any repair costs.

This is based on a formula set by the federal government. If it is decided you cannot contribute toward the cost of the repairs, the costs will be forgiven by 1/120 over 10 years.

If it is decided that you can pay some amount toward the cost, you will be expected to make a payment every month for ten years. The difference between what you can pay and what the repairs actually cost is what the IPR loan will pay. In either case, paperwork will be filed with the Court (a "lien" will be placed on your house) as official record of the state's investment and describing the terms. Please ask the grant administrator for additional information on how the 0% interest loan works and for a definition of the terms related to loan closing.



## Frequently Asked Questions

***“What happens to my house if I pass away or have to go into a nursing home?”***

If your housing needs change within 10 years, your relatives, if income eligible, could live in the house, the house could be rented to an LMI person or the house could be sold (and the outstanding balance of the loan repaid to your community out of the sale price). After a 10 year period, the terms of the loan have been satisfied (meaning the lien will be released) and no further requirements apply.

***“Why did my neighbor get a new house, but you only fixed my old house?”***

In some cases, houses are in such bad shape that they must be demolished and new ones provided. In some cases, a house could be rehabilitated instead of demolished and brought up to a safe, decent and affordable level. The Rehab Specialist helps to determine this.

***“What happens if I miss a payment?”***

If your finances change during your loan period, you should let the housing program administrator know immediately. In most cases, a new payment plan better suited to your current ability-to-pay can be worked out. If need be, your missed payment and the associated forgiven amount will be tacked onto the end of your loan.

***“Why can’t the contractor just do some additional work while he’s here?”***

The loan pays for specific types of repairs based on the mission of providing safe, decent, and affordable housing, and cannot pay for cosmetic items, such as a second bathroom or spare bedrooms. Also, the funds are limited, and there is only so much available for each house. We can only do as many houses as possible by honoring fair and consistent limits for everyone.

***“What if I have a complaint about how this program is being done?”***

This project has a written complaint and appeals procedure; you can request a copy from your housing program administrator. Generally speaking, if you have a question or a complaint, the first step is to talk to the housing program administrator. If you are not satisfied with the response, you should put your question or complaint in writing.

## IPR COST LIMITS AS OF OCTOBER 1, 2012

## HOUSING REHABILITATION

Houses Constructed Post 1978 or

Lead-Based Paint Tested Houses (Pre-1978) with No Lead (must provide LBP free documentation to DHCD)

	Failed Absorption System	No Bathroom
Base Cost	35,000	70,000
Exceptions	15,000	INCLUSIVE
ADD up to \$10,000 for ALTERNATIVE SEPTIC	10,000	10,000
Construction Related Soft Costs	3,500	4,000
Administration	4,000	4,000
<b>Subtotal Maximum Possible Costs</b>	<b>67,500</b>	<b>88,000</b>
Temporary Relocation	2,000	2,000
Home Maintenance (1% base construction costs not to exceed \$250)	250	250
Asbestos (testing and work write up) NTE \$800	800	800
Legal Costs (Including hazard insurance and deed recordation)	750	750
<b>Total Maximum Possible Costs</b>	<b>71,300</b>	<b>91,800</b>

## HOUSING REHABILITATION

Houses Constructed Pre 1978 - Interim Controls/Hazard Reduction

(No Testing - Lead Is Presumed Present)

	Failed Absorption System	No Bathroom
Base Cost	25,000	25,000
Exceptions	15,000	45,000
ADD up to \$10,000 for ALTERNATIVE SEPTIC	10,000	10,000
Construction Related Soft Costs	3,500	4,000
Administration	4,000	4,000
<b>Subtotal Maximum Possible Costs</b>	<b>57,500</b>	<b>88,000</b>
Temporary Relocation	2,000	2,000
Home Maintenance (1% base construction costs NTE \$250)	250	250
Asbestos (testing and work write up) NTE \$800	800	800
Legal Costs (Including hazard insurance and deed recordation)	750	750
<b>Total Maximum Possible Costs</b>	<b>61,300</b>	<b>91,800</b>

## SUBSTANTIAL RECONSTRUCTION

(Lead Is Not Applicable)

	Failed Absorption System	No Bathroom
Base Cost	70,000	70,000
Exceptions	INCLUSIVE	INCLUSIVE
ADD up to \$10,000 for ALTERNATIVE SEPTIC	10,000	10,000
ADD \$4,000 for NATIONALLY RECOGNIZED CERTIFICATION (GREEN)	4,000	4,000
Construction Related Soft Costs	4,000	4,000
Administration	4,000	4,000
<b>Subtotal Maximum Possible Costs</b>	<b>93,000</b>	<b>93,000</b>
Temporary Relocation	2,000	2,000
Home Maintenance (1% base construction costs NTE \$250)	250	250
Asbestos (testing and work write up) NTE \$800	800	800
Legal Costs (Including hazard insurance and deed recordation)	750	750
<b>Total Maximum Possible Costs</b> (see note below)	<b>95,800</b>	<b>95,800</b>

Note: Total Maximum Possible Costs do not include demolition costs

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1. Name _____		2. Address: _____			
<b>ASSETS</b>					
Family Member	Asset Description	Current Cash Value Of Assets	Actual Income from Assets		
3. Net Cash Value of Assets		3.			
4. Total Actual Income from Assets			4.		
5. If line 3 is greater than \$5,000, multiply line by _____ (Passbook Rate) and enter results here; otherwise leave blank					
<b>ANTICIPATED ANNUAL INCOME</b>					
Family Members	a. Wages Salaries	b. Benefits/ Pensions	c. Public Assistance	d. Other Income	e. Asset Income
					Enter the greater of lines 4 or 5 from above in e.
6. Totals	a.	b.	c.	d.	e.
7. Enter total of items from 6a. through 6e. This is annual income.....					7.

Signature (Grantee/Subrecipient Representative)

Date

For Office Use Only

\_\_\_\_\_ County

\_\_\_\_\_ 80% AMI Limit

\_\_\_\_\_ Fiscal Year

\_\_\_\_\_ Household Income

08/2011



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